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After judge's ruling, HHS authorized to resume sharing some Medicaid data with deportation officers

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NEW YORK (AP) — The [nation's health department \(https://apnews.com/hub/us-department-of-health-and-human-services\)](https://apnews.com/hub/us-department-of-health-and-human-services) starting Monday can resume sharing the personal data of certain Medicaid enrollees with deportation officials, according to a federal judge's ruling, in a blow to states [that had sued \(https://apnews.com/article/trump-medicaid-immigrant-california-161f7e1b9087512d674258f32f822878\)](https://apnews.com/article/trump-medicaid-immigrant-california-161f7e1b9087512d674258f32f822878) the administration over privacy concerns.

But the [judge's decision](#)

[\(https://storage.courtlistener.com/recap/gov.uscourts.cand.452203/gov.uscourts.cand.452203.148.0.pdf\)](https://storage.courtlistener.com/recap/gov.uscourts.cand.452203/gov.uscourts.cand.452203.148.0.pdf), issued last Monday, strictly limits the scope of data from the 22 plaintiff states that can be shared — for now only allowing the agency to hand over basic biographical information about immigrants residing in the United States illegally. The states' lawsuit came after an [Associated Press report \(https://apnews.com/article/medicaid-deportation-immigrants-trump-4e0f979e4290a4d10a067da0acca8e22\)](https://apnews.com/article/medicaid-deportation-immigrants-trump-4e0f979e4290a4d10a067da0acca8e22) identified the data sharing policy.

The ruling from U.S. District Judge Vince Chhabria in San Francisco comes after the Centers for Medicare and Medicaid Services said it planned to share the data again as part of the Trump administration's immigration crackdown.



Chhabria in August had [initially blocked](https://apnews.com/article/rfk-jr-medicaid-data-deportation-immigrants-trump-9a6ac84c6c23a608cfc5d343f6433c7f) the U.S. Department of Health and Human Services from sharing the personal data, which includes home addresses, with Immigration and Customs Enforcement officers. In December, he extended that temporary order.

Then, last week, Chhabria ruled that after the temporary order expires on Jan. 5, HHS can resume sharing “basic biographical, location and contact information” about immigrants living in the U.S. illegally with Immigration and Customs Enforcement officers. He wrote in a court filing that this sharing “is clearly authorized by law and the agencies have adequately explained their decisions.”

While the lawsuit plays out, HHS and CMS aren’t allowed to give detailed, sensitive medical information about enrollees to the Department of Homeland Security or ICE, Chhabria wrote. They also can’t hand over Medicaid data about U.S. citizens or legal immigrants in the 22 plaintiff states, he wrote.

In explaining why he blocked the broader data sharing, Chhabria wrote that the new federal policies “are totally unclear about what that information would be, why it would be needed for immigration enforcement purposes, and what the risks of sharing it with DHS would be.”

It wasn’t clear Monday whether HHS had resumed sharing data on Medicaid recipients living in the U.S. illegally, and a spokesperson didn’t immediately respond to a request for comment.

Immigrants illegally living in the U.S., as well as some who are lawfully present, are not allowed to enroll in the Medicaid program that offers nearly free coverage for health services. But federal law requires all states to offer emergency Medicaid, a temporary coverage that pays only for lifesaving services in emergency rooms to anyone, including non-U.S. citizens. Medicaid is a jointly funded program between states and the federal government.

HHS first shared the personal data on millions of Medicaid enrollees in a handful of states in June.

In July, CMS entered into a [new agreement](https://apnews.com/article/immigration-medicaid-trump-ice-ab9c2267ce596089410387bfc40eeb7) that gave DHS daily access to view the personal data – including Social Security numbers and home address – of all the nation’s 77 million Medicaid enrollees. Neither agreement was announced publicly.

The extraordinary disclosure of such personal health data to deportation officials in the Trump administration’s far-reaching immigration crackdown immediately prompted the lawsuit over privacy concerns.

Immigration advocates have said the disclosure of personal data could cause alarm among people seeking emergency medical help for themselves or their children. Other efforts to crack down on illegal immigration have made schools, churches, courthouses and other everyday places feel perilous to immigrants and even U.S. citizens who fear getting caught up in a raid.

CMS in November said its intention to provide the data to ICE is “consistent with federal laws” and intended “to advance administration priorities related to immigration.”

The data sharing comes as the Trump administration has implemented an unprecedented immigration crackdown that has looped in [agencies across the federal government](https://apnews.com/article/immigration-border-enforcement-trump-rubio-bondi-hegseth-fb0c2a5351334f4615706033b820bf92) and which has included sending the military and immigration agents into multiple Democratic-run cities.

The administration has also made other efforts to share data with immigration officials. In May, a [federal judge](https://apnews.com/article/irs-ice-tax-data-deportations-federal-judge-fd696d215843bdc16260dfad471f500d) (<https://apnews.com/article/irs-ice-tax-data-deportations-federal-judge-fd696d215843bdc16260dfad471f500d>) refused to block the Internal Revenue Service from sharing immigrants' tax data with ICE to help agents locate and detain people living in the U.S. illegally.

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