



Susan Cochran
Telephone: (510) 987-0887
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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

May 30, 2023

DOUGLAS HAYNES, VICE PROVOST
ACADEMIC PERSONNEL & PROGRAMS

Re: Systemwide Review of Revisions to Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Vice Provost Haynes:

As requested, I distributed for systemwide Senate review the revisions to UC Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities. Nine Academic Senate divisions and the University Committee on Affirmative Action, Diversity, and Equity submitted comments. These comments were discussed at Academic Council's May 24 meeting and are attached for your reference.

The policy establishes UC Health's cooperation with the California Values Act of 2018, which limits federal immigration enforcement actions at public institutions, including hospitals and health facilities, and prohibits the use of state and local resources to assist immigration enforcement "to the fullest extent possible consistent with federal and state law." The policy outlines specific measures to ensure that UC Health complies with the Act and provides guidance for managing situations where immigration officers are attempting to make contact with patients in UC Health facilities.

The policy met with overall support from the Senate. Faculty reviewers endorsed the policy and its goal to protect UC Health patients from immigration enforcement that might interfere with their care. In addition to offering suggestions for small edits and typographical corrections, reviewers suggested that the policy could be even more patient-centered by including stronger assurances that UC Health will protect vulnerable populations from immigration inquiries by proactively informing patients who are being sought by an officer. Additionally, reviewers suggest that the policy clarify its application at UC Health affiliate sites, explicitly address research operations conducted at UC Health facilities, and include protections for hospital staff who may come in contact with immigration officials.

We appreciate the opportunity to comment and encourage you to incorporate these clarifications and suggestions into the policy to strengthen its patient protections. Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Cochran', with a stylized flourish at the end.

Susan Cochran, Chair
Academic Council

Cc: Academic Council
Executive Vice President Byington
Associate Vice President Nelson
Director Schmitt
Campus Senate Executive Directors
Executive Director Lin

Encl.



May 16, 2023

SUSAN COCHRAN
Chair, Academic Council

*Subject: Systemwide Proposed Presidential Policy – Responding to Immigration Enforcement
Issues Involving Patients in UC Facilities*

Dear Chair Cochran:

The Council of the Berkeley Division (DIVCO) has no comments on the proposed Presidential Policy on *Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities*. We feel that the proposed policy is clear and well-conceived.

Sincerely,

Mary Ann Smart
Professor of Music
Chair, Berkeley Division of the Academic Senate

cc: Maximilian Auffhammer, Vice Chair, Berkeley Division of the Academic Senate
Jocelyn Surla Banaria, Executive Director



DAVIS DIVISION OF THE ACADEMIC SENATE
ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8502
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academicsenate.ucdavis.edu

May 17, 2023

Susan Cochran
Chair, Academic Council

RE: Proposed Revisions to Presidential Policy on Responding to Immigration Enforcement Issues
Involving Patients in UC Health Facilities

Dear Susan,

The proposed revisions to the Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities were forwarded to all standing committees of the Davis Division of the Academic Senate. Three committees responded: the Faculty Executive Committees of the College of Letters and Science (L&S), the School of Medicine (SOM), and the School of Nursing (SON).

Committees support the proposed revisions. For the policy introduction, SOM suggests using "Attorney General's Office" consistently instead of "Attorney General" in the singular, to prevent confusion about an elected individual versus the office.

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Palazoglu", is written over a light blue horizontal line.

Ahmet Palazoglu
Chair, Davis Division of the Academic Senate
Distinguished Professor of Chemical Engineering
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Monica Lin, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

Proposed Revisions to Presidential Policy on Immigration Enforcement in UC Health Facilities

FEC: College of Letters and Science Committee Response

May 12, 2023

The committee approves, and does not have any further questions.

Proposed Revisions to Presidential Policy on Immigration Enforcement in UC Health Facilities

FEC: School of Medicine Committee Response

May 12, 2023

Per the April 26 FEC meeting discussion:

Suggest not stating ‘Attorney General’ in the singular, but rather consistently state AG’s Office, so there isn’t any confusion about an individual elected official versus the department. Edits would take place in the Policy introduction.

Proposed Revisions to Presidential Policy on Immigration Enforcement in UC Health Facilities

FEC: School of Nursing Committee Response

May 12, 2023

The SON suggests to include language that anyone who takes care of patients in the hospital has the right to refuse to give patient information to immigration enforcement.

May 17, 2023

Susan Cochran, Chair
Academic Council

Re: Systemwide Review of Presidential Policy – Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Chair Cochran,

The Irvine Division discussed the proposed revisions to the Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities at its Cabinet meeting on May 16, 2023. The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) and Council on Equity and Inclusion (CEI) also reviewed the proposal. Their feedback is attached for your review.

Cabinet members concurred with the councils' feedback.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Georg Striedter, Chair
Academic Senate, Irvine Division

Enclosures: CFW, CEI memos

Cc: Arvind Rajaraman, Chair Elect-Secretary
Jisoo Kim, Executive Director
Gina Anzivino, Associate Director

May 4, 2023

**GEORG STRIEDTER, CHAIR
ACADEMIC SENATE, IRVINE DIVISION**

Re: Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

The Council on Equity and Inclusion discussed the proposed revisions to the Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities at its meeting on May 1.

The Council was unanimously supportive of having a policy around this complex and sensitive issue. At the same time, members would like to see the policy be more patient centered than focused on immigration enforcement. As an example, in section III.A., they suggested reframing the role of administrators or designees from one of being responsive to immigration enforcement inquiries and requests to convey an overall philosophy about health sites' mission to provide healthcare, reduce barriers to healthcare, and avoid actions that create a chilling effect or that place health providers in carceral or policing roles.

Members also raised concerns about some policy language that appears to give health facility staff members and/or volunteers discretion in responding to requests from immigration officers. For instance, in section III.B.1., they recommended striking "or expressly authorized" in order to avoid arbitrary or discriminatory application and provide consistency in protecting patient information and fostering trust (e.g., "Health facilities must implement policies that are protective of patient information, under which health facility staff members and volunteers disclose patient information only when required to do so by all applicable laws."). Similarly, in order to eliminate discretionary application, "or expressly authorized" should be struck in section D.1.a. (e.g., "Health facilities should give assurances that they will not release information to third parties for immigration enforcement purposes, except as required by law or court order.").

To strengthen the language and protections further, and to establish the legal basis under which patient information is sought, Council members also suggested adding (e.) to III.B.3. to read, "the legal authority under which the agency is seeking the requested information."

Some members expressed concern about the grouping of legal instruments (e.g., subpoenas and court orders) in section III.B.4. while not providing for patient objection within the policy. To address this, the policy should differentiate in light of patient rights to object, such as to subpoenas for documents. Council members also recommended striking "if possible" from this section regarding consultation with counsel, and rather say that, "health facilities should consult with legal counsel each time on such matters."

Finally, some members noted that the policy complies with the California Attorney General's model policies for health facilities that limit assistance with immigration enforcement "to the fullest extent possible consistent with federal and state law," and that UC Health facilities are "encouraged" but not required to adopt the model policies. They suggested that there should be some sort of backstop in place for those facilities that choose not to adopt the model policies.

The Council on Equity and Inclusion appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane K. Stoevers". The signature is fluid and cursive, with the first name "Jane" and last name "Stoevers" clearly distinguishable.

Jane Stoevers, Chair
Council on Equity and Inclusion

Cc: Arvind Rajaraman, Chair Elect-Secretary
Jisoo Kim, Executive Director
Gina Anzivino, Associate Director and CEI Analyst
Stephanie Makhoul, Senate Analyst

April 25, 2023

**GEORG STRIEDTER, CHAIR
ACADEMIC SENATE – IRVINE DIVISION**

**Re: Presidential Policy – Responding to Immigration Enforcement Issues
Involving Patients in UC Health Facilities**

Systemwide Senate Chair Susan Cochran distributed for review proposed revisions to a presidential policy on responding to immigration enforcement issues involving patients in UC Health facilities. The policy was initially implemented as an interim policy and is now recommended to move out of interim status.

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) discussed this issue at its meeting on April 11, 2023, and submits the following comment:

Members generally agreed that the policy seems thorough and clear. However, some members expressed concern that it does not provide enough protections for these vulnerable populations.

Sincerely,



Lisa Naugle, Chair
Council on Faculty Welfare, Diversity, and Academic Freedom

C: Jisoo Kim, Executive Director
Academic Senate

Gina Anzivino, Associate Director
Academic Senate

Stephanie Makhoul, Cabinet Analyst
Academic Senate



May 8, 2023

Susan Cochran
Chair, UC Academic Senate

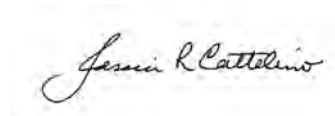
Re: (Systemwide Senate Review) Proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Chair Cochran,

The divisional Executive Board appreciated the opportunity to review the Proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities. The Executive Board (EB) reviewed the proposal at its meeting on April 27, 2023.

EB members endorse the principle of protecting patients from immigration enforcement. They voted to approve a motion to endorse the proposed policy and strongly suggest that UC Health affiliates also be subject to the policy. They emphasized the importance of prioritizing the health of all patients in the care of UC Health Facilities and affiliates, and noted the significance of instilling these core values in UC medical and nursing students who train at these facilities.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Cc: April de Stefano, Executive Director, UCLA Academic Senate
Andrea Kasko, Vice Chair/Chair Elect, UCLA Academic Senate
Shane White, Immediate Past Chair, UCLA Academic Senate



OFFICE OF THE ACADEMIC SENATE
PATTI LIWANG, CHAIR, ACADEMIC SENATE
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

May 17, 2023

To: Susan Cochran, Chair, Academic Council

Re: Systemwide Review of Proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

The proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities was distributed for comment to the Merced Division Senate Committees and the School Executive Committees. The following committees offered comments for consideration. The committees' comments are appended to this memo.

- Committee on Research (CoR)
- Committee on Faculty Welfare and Academic Freedom (FWAF)

CoR noted that the proposed policy does not explicitly mention research operations. CoR noted that overall, the policy describes the procedures to follow when an officer enters a facility with and without a warrant. Consultation with legal counsel and/or appropriate administrators when such an event occurs is provided for most cases. Section III.C.10 of the policy describes procedures for forced entry by an officer. The text states that health facility staff should comply with the officer's order, should not attempt to physically interfere with the officer, and should document the officer's actions while at the facility. CoR believes that this item may benefit from revisions that reflect additional protections to patients and hospital staff in such an event, rather than just documenting after the event. As mentioned above, CoR noted that the policy does not explicitly address research operations despite the fact the clinicians and other UC health staff and entities may engage in research activities at UC Health facilities. If this is the case and if this document is relevant to such research-related activities, CoR asserted that the policy could benefit from explicit mention of relevance to research activities, and if necessary, peculiarities related to research situations.

FWAF agreed with the purpose of this policy: to make sure that the rights of patients are protected and that hospitals do as little as possible, while staying consistent with the law, to assist immigration enforcement. FWAF found the updates to the interim policy to be appropriate to that purpose. However, FWAF had one concern. The policy offers some guidance on "Monitoring and Receiving Visitors" (Section E.), which specify that some areas of health facilities could have restricted access, and visitors must register with the hospital and provide certain information, such as their name, purpose of their visit, and proof of identity. FWAF worried that an immigration officer could pose as a visitor and gain access to

a patient that way. If there is a way to avoid this problem, FWAF requested that it be included in the policy.

Divisional Council reviewed the committees' comments via email and supports their various points and suggestions.

The Merced Division thanks you for the opportunity to comment on this proposed policy.

CC: Divisional Council
Monica Lin, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Senate Office

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON RESEARCH (COR)
JASON SEXTON, CHAIR

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

April 7, 2023

To: Patti LiWang, Senate Chair

From: Jason Sexton, Chair, Committee on Research (CoR) 

Re: Presidential Policy – Immigration Enforcement Issues Involving Patients in UC Health Facilities

CoR reviewed the Presidential Policy – Immigration Enforcement Issues Involving Patients in UC Health Facilities and offers the below comments.

The document summarizes policies to deal with immigration enforcement in UC Health facilities. The document does not explicitly mention research operations. Overall, it describes the procedures to follow when an officer enters a facility with and without a warrant. Consultation with legal counsel and/or appropriate administrators when such an event occurs is provided for most cases. Section III.C.10 of the policy describes procedures for forced entry by an officer. The text states that health facility staff should comply with the officer's order, should not attempt to physically interfere with the officer, and should document the officer's actions while at the facility. This item may benefit from revisions that reflect additional protections to patients and hospital staff in such an event, rather than just documenting after the event. As mentioned above, the document does not explicitly address research operations despite the fact the clinicians and other UC health staff and entities may engage in research activities at UC Health facilities. If this is the case and if this document is relevant to such research-related activities, the document could benefit from explicit mention of relevance to research activities, and if necessary, peculiarities related to research situations.

We appreciate the opportunity to opine.

cc: Senate Office



ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON FACULTY WELFARE AND ACADEMIC FREEDOM
DAVID JENNINGS, CHAIR
djennings3@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

April 7, 2023

To: Patti LiWang, Chair, Division Council

From: David Jennings, Chair, Committee on Faculty Welfare and Academic Freedom (FWAF)

Re: Presidential Policy – Immigration Enforcement Issues Involving Patients in UC Health Facilities

FWAF reviewed the Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities and offers the below comments.

The proposed Policy aims to bring the UC Health practices into alignment with certain “model policies” developed by the California Attorney General which limit “assistance with immigration enforcement to the fullest extent possible consistent with federal and state law.” It aims to protect the rights of patients that immigration enforcement officers might wish to investigate or gain access to.

The proposed policy requires that UC hospitals have someone responsible for this protection present at every shift, who knows the procedures for interacting with immigration enforcement officers (A.1). The responsible party must offer only the information about patients expressly required by law (B.1.) and they must consult legal counsel about the extent to which they are required to comply with any of the officer’s requests (B.2., cf., C.2.).

FWAF agrees with the purpose of this policy: to make sure that the rights of patients are protected and that the hospital do as little as possible, while staying consistent with the law, to assist immigration enforcement. And we find the updates to the interim policy to be appropriate to that purpose.

FWAF, however, has one concern. The policy offers some guidance on “Monitoring and Receiving Visitors” (E), which specify that some areas of health facilities could have restricted access, and visitors must register with the hospital and provide certain information, such as their name, purpose of their visit, and proof of identity. FWAF worries that an immigration officer could pose as a visitor and gain access to a patient that way. If there is a way to avoid this problem, FWAF requests that it be included in the policy.

FWAF appreciates the opportunity to opine.

cc: Senate Office



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

SANG-HEE LEE
PROFESSOR OF ANTHROPOLOGY
RIVERSIDE, CA 92521-0217
TEL: (951) 827-4390
EMAIL: SANG-HEE.LEE@UCR.EDU

May 9, 2023

Susan Cochran, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] Proposed Presidential Policy regarding Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Susan,

The Riverside Executive Council discussed the subject proposed policy during their May 8, 2023 meeting and had no additional comments to add to those attached from local committees that responded to the call for comments.

Sincerely yours,

A handwritten signature in cursive script, reading "Sang-Hee Lee".

Sang-Hee Lee
Professor of Anthropology and Chair of the Riverside Division

CC: Monica Lin, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office



April 21, 2023

TO: Sang-Hee Lee, Chair
Riverside Division of the Academic Senate

FROM: John Kim, Chair 
CHASS Executive Committee

RE: Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Having reviewed the memo and related documents regarding the Proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities, we had the following questions and concerns:

What responsibility does UC Health have to its patients who are being sought out by immigration enforcement agents? There is no mention in the responsive actions to an immigration enforcement inquiry that UC Health will notify the patient that is central to the inquiry. Rather, the only notifications required are (1) the health administrator (or their designee) handling immigration issues, and (2) legal counsel. Particularly given the research linking immigration enforcement to poor health outcomes (see citations below), it is important that UC Health facilities protect the health and rights of its patients by providing them this essential information. Doing so would also promote greater trust of health officials and practitioners among patients from marginalized communities, which the citations below also link as having declined in this era of increased immigration enforcement.

What responsibility does UC Health, as a public medical facility, have to protect the right of vulnerable patients to access safe and secure healthcare free from the threat of police and immigration enforcement? While the 2018 California Values Act requires state public health facilities to limit compliance with immigration enforcement to the fullest extent possible in accordance with state and federal law, we remain gravely concerned that the current UC policy as written does not require adherence to the Attorney General's model policies in UC health facilities. Rather, UC Health facilities may in fact "evaluate whether or not to adopt the Attorney General's policy recommendations in their *locally-established* implementation policies and procedures" (see Policy Summary, emphasis added). We demand, in the strongest terms possible

and in the spirit of maintaining the safest environment possible for all persons in need of medical care, that the policy not only require adoption of the recommendations but go beyond compliance to also declare all UC health facilities as “sanctuary clinics.” This designation would allow healthcare workers to maintain patient confidentiality while providing high quality medical care to patients in need regardless of immigration status to prevent the threat of deportation and separation of families.

Last, regarding the redline revision on page 5 under C5: we feel that "no document accompanying the request" is vague because (as the rest of the policy rightly notes) immigration officers often present documents that are not actually legal requests to try to convince people to comply. We encourage clarification about what documents would properly authorize a request.

Relevant citations:

- Cruz Nichols, Vanessa, Alana MW LeBrón, and Francisco I. Pedraza. "Spillover effects: Immigrant policing and government skepticism in matters of health for Latinos." *Public Administration Review* 78, no. 3 (2018): 432-443.
- Cruz Nichols, Vanessa, Alana MW LeBrón, and Francisco I. Pedraza. "Policing Us Sick: The Health of Latinos in an Era of Heightened Deportations and Racialized Policing." *PS: Political Science & Politics* 51, no. 2 (2018): 293–97. doi:10.1017/S1049096517002384.
- Doshi, Monika, Richard Bryce, Hannah Mesa, Marta Carolina Ibarra Avila, William D. Lopez, Maria Militzer, Spring Quinones, Ruth Kraut, Raymond Rion, and Paul J. Fleming. "Barriers to health care services among US-based undocumented Latinx immigrants within the sociopolitical climate under the trump administration: a comparative analysis between client experiences and provider perceptions." *SSM-Qualitative Research in Health* 2 (2022): 100050.
- Fleming, Paul J., Nicole L. Novak, and William D. Lopez. "US immigration law enforcement practices and health inequities." *American Journal of Preventive Medicine* 57, no. 6 (2019): 858-861.
- Lopez, William D., and Heide Castañeda. "The mixed-status community as analytic framework to understand the impacts of immigration enforcement on health." *Social Science & Medicine* 307 (2022): 115180.
- Lopez, William D., Kruger, Daniel J., Delva, Jorge, Llanes, Mikel, Ledon, Charo, Waller, Adreanne, Harner, Melanie, et al. "Health Implications of an Immigration Raid: Findings from a Latino Community in the Midwestern United States." *Journal of Immigrant & Minority Health* 17, no. 2 (2016): 325–40.



Academic Senate

COMMITTEE ON INTERNATIONAL EDUCATION

April 10, 2023

To: Sang-Hee Lee, Chair
Riverside Division

From: Denver Graninger, Chair
Committee on International Education

Re: Systemwide Review: Presidential Policy re: Immigration Enforcement Issues Involving
Patients in UC Health Facilities

The Committee on International Education (CIE) reviewed the Systemwide Review of the Presidential Policy re: Immigration Enforcement Issues Involving Patients in UC Health Facilities at their April 6, 2023 meeting, and are supportive of the policy.



April 22, 2023

To: Sang-Hee Lee, Division Chair of the UCR Division of the Academic Senate &
Cherysa Cortez, Executive Director of the UCR Academic Senate

From: Raquel M. Rall, Ph.D., Faculty Chair of the School of Education Executive Committee

Subject: [Systemwide Review] Proposed Policy: Presidential Policy re: Immigration
Enforcement Issues Involving Patients in UC Health Facilities

The members of the SOE Executive Committee reviewed the [Systemwide Review] Proposed Policy: Presidential Policy re: Immigration Enforcement Issues Involving Patients in UC Health Facilities. Comments were provided at our monthly meeting and via email. Our feedback is below.

We find the indicated edits appropriate. We wonder, however, if there is an accompanying document that speaks to how to interact with the patient whose immigration status might be called into question? The policy clearly outlines what questions to ask and procedures to follow of law enforcement, etc. but it was not clear what the policies are surrounding ensuring the safety of the actual patient, particularly if that patient is not in the designated "off limits" area. Do UC affiliates have any obligations to the physical and emotional safety of patients during these scenarios in addition to their legal protections? We appreciate the official overview but do not want to lose sight of the people involved in these situations.

Thank you for the opportunity to provide feedback.

Sincerely,

A handwritten signature in cursive script that reads 'Raquel M. Rall'.

Raquel M. Rall, Ph.D.
Faculty Executive Committee Chair 2022-2025
School of Education
University of California, Riverside

April 21, 2023

TO: Sang-Hee Lee, Ph.D., Chair, Academic Senate, UCR Division

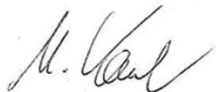
FROM: Marcus Kaul, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

SUBJECT: Response to [Systemwide Review] Proposed Policy: Presidential Policy re: Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Sang-Hee,

The SOM Faculty Executive Committee has reviewed the proposed Presidential Policy regarding Immigration Enforcement Issues Involving Patients in UC Health Facilities. The Committee approved making this policy permanent and has no further comments or suggestions for edits.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M. Kaul", written in a cursive style.

Marcus Kaul, Ph.D.
Chair, Faculty Executive Committee School of Medicine



OFFICE OF THE ACADEMIC SENATE

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0002
TELEPHONE: (858) 534-3640
FAX: (858) 534-4528

April 21, 2023

Professor Susan Cochran
Chair, Academic Senate
University of California
VIA EMAIL

Re: Divisional Review of the Presidential Policy Responding to Immigration Enforcement Issues
Involving Patients in UC Health Facilities

Dear Chair Cochran,

The proposed revisions to the Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities were distributed to San Diego Divisional Senate standing committees and discussed at the April 10, 2023 Divisional Senate Council meeting. Senate Council endorsed the proposal, and noted that the policy seemed reasonable and necessary in order to protect the rights of immigrant patients.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Grey Postero".

Nancy Postero
Chair
San Diego Divisional Academic Senate

cc: John Hildebrand, Vice Chair, San Diego Divisional Academic Senate
Lori Hullings, Executive Director, San Diego Divisional Academic Senate
Monica Lin, Executive Director, UC Systemwide Academic Senate

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Steven W. Cheung, MD, Chair
Steve Hetts, MD, Vice Chair
Thomas Chi, MD, Secretary
Kathy Yang, PharmD, Parliamentarian

May 16, 2023

Susan Cochran
Chair, Academic Council
Systemwide Academic Senate
University of California Office of the President
1111 Franklin St., 12th Floor
Oakland, CA 94607-5200

Re: Systemwide Review of Proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Dear Susan:

The UCSF Senate appreciates the opportunity to review the proposed Presidential Policy Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities. As you are aware, this policy has been recommended to exit interim status. The UCSF Senate's Clinical Affairs Committee (CAC), Committee on Rules & Jurisdiction (R&J), and School of Medicine Faculty Council (SOM FC) opined on this review.

First, R&J requests that the policy clarify whether and how the policy applies at affiliate sites (e.g. Veterans Affairs, Zuckerberg San Francisco General Hospital). If the policy does not apply, R&J recommends the policy explicitly advise UC faculty, staff, and learners of this fact and recommend that UC community members seek out similar policies at affiliate sites. CAC, R&J, and SOMFC also recommend adding a Frequently Asked Questions (FAQ) to guide UC employees working at affiliate sites about policy differences and direct them to appropriate resources.

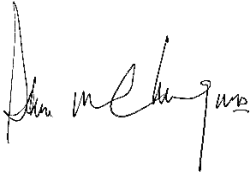
Second, CAC, R&J, and SOMFC request clarification in FAQ section of the proposed policy that details the AG's model policies, quoted below:

Are the AG's related policy recommendations required?

This policy complies with the AG's model policies. UC Health facilities are encouraged to adopt the AG's additional recommendations in their locally established policies and procedures including limiting the collection of immigration status/citizen status/national origin information to the patient only.

This section is vague and needs revision because it does not articulate or reference specific related policy recommendations from the AG. By limiting the collection of immigration status/citizen status/national origin information to patients, the FAQ implies that facilities should be collecting information about the immigration status/citizen status/national origin of patients, which seems problematic. Is that the intent?

Thank you for the opportunity to opine on the revisions to this important policy. If you have any questions, please let me know.

A handwritten signature in black ink, appearing to read "Steven W. Cheung". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven W. Cheung, MD, 2021-23 Chair
UCSF Academic Senate

Enclosures (3)

Cc: Matt Tierney, Chair, UCSF Clinical Affairs Committee
Spencer Behr, Chair, UCSF Committee on Rules & Jurisdiction
Mia Williams, Chair, UCSF School of Medicine Faculty Council

Clinical Affairs Committee**Matt Tierney, MS, NP, FAAN, Chair**

May 11, 2023

Steven Cheung, MD
Division Chair
UCSF Academic Senate

Re: Immigration Enforcement Systemwide Review

Dear Chair Cheung:

The Committee on Clinical Affairs (CAC) writes to comment on the [Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities](#) that is out for a systemwide review.

CAC emphasizes the importance of providing equitable health care delivery for all, recognizing that health care is a right, not a privilege. CAC believes in supporting patients in their health pursuits while doing everything in our abilities as health care providers to minimize or eliminate structural determinants of illness, including stressors related to immigration. For these reasons, CAC supports the proposed policy.

In addition to offering its support, CAC writes to recommend a clarification in the Frequently Asked Question section of the proposed policy. The proposed policy contains one FAQ that is quoted below.

Are the AG's related policy recommendations required?

This policy complies with the AG's model policies. UC Health facilities are encouraged to adopt the AG's additional recommendations in their locally established policies and procedures including limiting the collection of immigration status/citizen status/national origin information to the patient only.

CAC found the answer to this question somewhat confusing. By limiting the collection of immigration status/citizen status/national origin information to patients, the FAQ implies that facilities should be collecting information about the immigration status/citizen status/national origin of patients, which seems problematic. Is that the intent? Additionally, what does it mean to limit the information "to the patient only"? Does that mean facilities should refrain from collecting this information about people who are not patients? Does this mean that facilities should limit the "collection" of this information to conversations with the patient and not put such information in health records? CAC recommends that this FAQ be reviewed and revised to provide greater clarity.

CAC also recommends that an FAQ be added that provides guidance to UC faculty and staff who provide health care services at affiliate sites. UC does not control policies at sites such as the VA or Zuckerberg San Francisco General Hospital (ZSFG), and CAC believes it would be helpful to provide guidance to UC faculty and staff about potential differences and to direct them to appropriate resources.

CAC is aware that ZSFG has an immigration enforcement policy that is similar to the proposed UC policy. CAC is also aware that legal residency requirements for military service limit the number of VA patients who have immigration enforcement concerns. Nevertheless, CAC believes guidance about immigration enforcement at affiliate sites would be helpful. There are many UC affiliates, and faculty and staff may need guidance about what to do if immigration enforcement issues come up when they are working at an affiliate.

Thank you for the opportunity to comment on the *Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities*. Please contact me or Senate analyst Kristie Tappan if you have questions about CAC's comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Tierney", is enclosed within a light gray rectangular box.

Matt Tierney, MS, NP, FAAN
Clinical Affairs Committee Chair

CC: Todd Giedt, Senate Executive Director
Sophia Root, Senate Analyst

Committee on Rules and Jurisdiction
Spencer Behr, MD, Chair

May 8, 2023

Steven Cheung, MD
Division Chair
UCSF Academic Senate

Re: Immigration Enforcement Systemwide Review

Dear Chair Cheung:

The Committee on Rules and Jurisdiction (R&J) writes to comment on the [Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities](#) that is out for a systemwide review.

R&J requests that the policy clarify whether and how the policy applies at affiliate sites. If the policy does not apply, R&J recommends the policy explicitly advise UC faculty, staff, and learners of this fact and recommend that UC community members seek out similar policies at affiliate sites.

R&J also joins its colleagues on the UCSF Clinical Affairs Committee in requesting that the FAQ in the policy on the AG's related policy recommendations be revised to provide more information about collecting immigration status information about patients. The FAQ references the "AG's related policy recommendations" without describing or citing these related recommendations.

R&J reviewed the model policy "[Promoting Safe and Secure Healthcare Access for All: Guidance and Model Policies to Assist California's Healthcare Facilities in Responding to Immigration Issue](#)" on the California Attorney General's website, but it was still unclear to R&J which "related policy recommendations" were referenced by the FAQ. R&J recommends that this FAQ provide more information and clarify whether and when information about anyone's immigration status should be collected, including patients.

Thank you for the opportunity to comment on the *Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities*. Please contact me or Senate Analyst Kristie Tappan (kristie.tappan@ucsf.edu) if you have questions about CAC's comments.

Sincerely,



Spencer Behr, MD
Committee on Rules and Jurisdiction Chair

Cc: Todd Giedt, UCSF Academic Senate Executive Director
Sophia Bahar Root, UCSF Academic Senate Analyst

School of Medicine Faculty Council
Mia Williams, MD, MS, Chair

May 11, 2023

Steven Cheung, M.D.
Division Chair
UCSF Academic Senate

Re: Immigration Enforcement Systemwide Review

Dear Chair Cheung:

The School of Medicine Faculty Council (SOMFC) writes to comment on the [Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities](#) that is out for a systemwide review. The SOMFC joins its colleagues on the Clinical Affairs Committee (CAC) in raising two suggestions related to the Frequently Asked Questions (FAQ) section of the policy.

First, the SOMFC agrees that the following FAQ raises questions about whether and when to collect information about the immigration status/citizen status/national origin of people. The FAQ provides,

Are the AG's related policy recommendations required?

This policy complies with the AG's model policies. UC Health facilities are encouraged to adopt the AG's additional recommendations in their locally established policies and procedures including limiting the collection of immigration status/citizen status/national origin information to the patient only.

The SOMFC recommends that the FAQ provide more information about the "AG's additional recommendations" and explain or offer examples of when it would be appropriate to collect information on someone's immigration status/citizen status/national origin.

The SOMFC also joins CAC in recommending that an FAQ be added that provides guidance to UC faculty and staff who provide health care services at affiliate sites.

Thank you for the opportunity to comment on the *Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities*. Please contact me or Senate analyst Kristie Tappan if you have questions about the SOMFC's comments.

Sincerely,



Mia Williams, MD, MS

Chair of the School of Medicine Faculty Council

cc: Sophia Bahar Root, UCSF Academic Senate Analyst
Todd Giedt, UCSF Academic Senate Executive Director



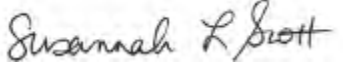
UC SANTA BARBARA

Academic Senate
Susannah Scott, Chair
Shasta Delp, Executive Director

1233 Girvetz Hall
Santa Barbara, CA 93106-3050
<http://www.senate.ucsb.edu>

May 17, 2023

To: Susan Cochran, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division 

Re: Systemwide Review of the Proposed Presidential Policy - Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

The Santa Barbara Division distributed the Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities to the Council on Faculty Welfare, Academic Freedom, and Awards, the Committee on Research Policy and Procedures, and the Committee on Rules, Jurisdiction, and Elections. All three groups opted not to opine.

As UC Santa Barbara does not have a UC Health provider, the Santa Barbara Division does not have any input to offer regarding the proposed policy.

We thank you for the opportunity to comment.



UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION,
DIVERSITY AND EQUITY (UCAADE)
Louis DeSipio, Chair ldesipio@uci.edu
ldesipio@uci.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

May 12, 2023

**SUSAN COCHRAN, CHAIR,
ACADEMIC COUNCIL**

**RE: SYSTEMWIDE REVIEW OF PROPOSED PRESIDENTIAL POLICY ON
RESPONDING TO IMMIGRATION ENFORCEMENT ISSUES INVOLVING PATIENTS IN
UC HEALTH FACILITIES**

Dear Susan,

The University Committee on Affirmative Action, Equity and Diversity (UCAADE) welcomes the opportunity to provide feedback on the proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities. This policy establishes the UC's cooperation with the California Values Act of 2018, which requires the California Attorney General to publish policies "limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law," while allowing health facilities leeway in their adoption of these policies. The policy does not change the requirement that staff members respond to requests to disclose patient information only as "required or expressly authorized to do so by all applicable laws."

UC Health strives to create a safe place for high quality health care delivery, free of interruption from immigration enforcement activities. The policy outlines specific measures to comply with laws as well as adding changes to indicate specific responses to varying kinds of immigration enforcement requests and actions.

Additions include requiring a staff member for each shift at a UC health center to address immigration issues; noting that requests for information such as patient release do not require compliance without specific documentation; and clear documentation of restricted-access areas.

UCAADE applauds the effort to provide specific, actionable policies for UC health care providers. UCAADE approves the proposed policy.

Sincerely,

A handwritten signature in blue ink, appearing to read "LDS", is positioned above the typed name.

Louis DeSipio, Chair
UCAADE

cc: UCAADE