



**STATE OF WASHINGTON
HEALTH CARE AUTHORITY**

626 8th Avenue, SE • P.O. Box 42704 • Olympia, Washington 98504-2704

September 30, 2025

Skye Perryman
foia@democracyforward.org

Dear Skye Perryman:

SUBJECT: PDR-25-0439

In response to your public disclosure request, PDR-25-0439, the Health Care Authority (HCA) has enclosed the records requested.

Records Enclosed: HCA has identified 2 pages as responsive.

With this package, your public disclosure request is complete. Your request has been fulfilled by the production of records (including any exemptions claimed) and is now closed. This is our final response. HCA does not intend to further address the request, and the PRA's one-year statute of limitations to seek judicial review has started to run as of the date of this letter.

Should you have any questions, please contact me via email at emma.charles@hca.wa.gov.

Sincerely,

Emma Charles
Public Disclosure Supervisor
Division of Legal Services

Attachment(s)

By email

PDR-25-0439

From: [Linke, Taylor C \(HCA\)](#)
To: [HCA D. Senior Leadership Team](#)
Cc: [Wilson, Trinity \(HCA\)](#); [McGill, Jason T \(HCA\)](#); [Schuffenbauer, Annette \(HCA\)](#); [Brown, Michael \(HCA\)](#)
Subject: FW: CMS News: CMS Increasing Oversight on States Illegally Using Federal Medicaid Funding for Health Care for Illegal Immigrants
Date: Tuesday, May 27, 2025 12:36:10 PM
Attachments: [open-borders-co-notification-to-states_5.27.25.pdf](#)

FYI- hot off the presses. This certainly aligns with what we have been hearing/seeing thus far. (The letter attached is the same as the link at the bottom of the email.)
~Taylor

From: Centers for Medicare & Medicaid Services
Sent: Tuesday, May 27, 2025 12:31 PM
To: Linke, Taylor C (HCA)
Subject: CMS News: CMS Increasing Oversight on States Illegally Using Federal Medicaid Funding for Health Care for Illegal Immigrants

External Email

Centers for Medicare & Medicaid Services



CMS.gov News Room



Click to edit this heading.

CMS Increasing Oversight on States Illegally Using Federal Medicaid Funding for Health Care for Illegal Immigrants

The Centers for Medicare & Medicaid Services (CMS) announced today increased federal oversight to stop states from misusing federal Medicaid dollars to cover health care for individuals who are in the country illegally. Under federal law, federal Medicaid funding is generally only available for emergency medical services for noncitizens with unsatisfactory immigration status who would otherwise be Medicaid-eligible, but some states have pushed the boundaries, putting taxpayers on the hook for benefits that are not allowed.

"Medicaid is not, and cannot be, a backdoor pathway to subsidize open borders," said CMS Administrator Dr. Mehmet Oz. "States have a duty to uphold the law and protect taxpayer funds. We are putting them on notice—CMS will not allow federal dollars to be diverted to cover those who are not lawfully eligible."

As part of the action, CMS is ramping up financial oversight across the board to identify and stop improper spending. This includes:

- Focused evaluations of select state Medicaid spending reports (CMS-64 form submissions);
- In-depth reviews of select states' financial management systems; and
- Assessing existing eligibility rules and policies to close loopholes and strengthen enforcement.

"Medicaid funds must serve American citizens in need and those legally entitled to benefits," said CMS Deputy Administrator and Director of the Center for Medicaid & CHIP Services Drew Snyder. "If states cannot or will not comply, CMS will step in."

CMS is also urging all states to immediately examine and update internal controls, eligibility systems, and cost allocation policies to ensure full compliance with federal law. Any improper spending on noncitizens will be subject to recoupment of the federal share.

This effort aligns with President Trump's Executive Order on [Ending Taxpayer Subsidization of Open Borders](#), reinforcing our commitment to restoring integrity to federal programs, securing the border, and putting Americans first. CMS will continue to act decisively to ensure Medicaid dollars serve their true purpose—protecting people eligible for the program under federal law.

The letter to states is available at: <https://www.cms.gov/files/document/open-borders-co-notification-states.pdf>

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This email was sent to taylor.linke@hca.wa.gov using GovDelivery Communications Cloud 7500 Security Boulevard - Baltimore MD 21244



SUBJECT: Ending Taxpayer Subsidization of Open Borders

May 27, 2025

Dear Colleague:

On February 19, 2025, President Donald J. Trump signed an executive order titled “[Ending Taxpayer Subsidization of Open Borders](#).” The executive order reflects a national priority to uphold the rule of law, defend against the waste of hard-earned taxpayer resources, and protect benefits for American citizens in need. The Centers for Medicare & Medicaid Services (CMS) is committed to faithfully implementing the President’s executive order.

The plain text of federal law, including the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193) (PRWORA), generally prohibits illegal aliens from obtaining most taxpayer-funded benefits. Title IV of the PRWORA states that it is national policy that “aliens within the Nation’s borders not depend on public resources to meet their needs,” and that “[i]t is a compelling government interest to remove the incentive for illegal immigration provided by the availability of public benefits.” Federal Medicaid funding is generally only available for limited Medicaid coverage necessary for treatment of an emergency medical condition, including emergency labor and delivery, and not related to an organ transplant procedure, for individuals who meet all Medicaid eligibility requirements except satisfactory immigration status. *See* Section 1903(v)(1) through (v)(3) of the Social Security Act.

To ensure that federal money is not used to pay for or subsidize healthcare for individuals with an unsatisfactory immigration status in a manner contrary to federal law, CMS is ramping up financial oversight activities of state claiming in this area, to the extent consistent with applicable law. Activities are expected to include focused reviews of Medicaid expenditures reported by states on the quarterly CMS-64 and in-depth financial management reviews (FMRs). All states are encouraged to review their policies, internal controls, public assistance cost allocation plans, and IT systems to ensure that the state is claiming medical assistance and administrative expenditures in accordance with federal law. CMS will be assessing existing eligibility requirements in federal regulations and will be proposing revisions as may be necessary.

CMS remains committed to working with states and welcomes your input on this critical issue. Thank you for your work to ensure compliance so that together we may continue to provide quality health coverage to America’s most vulnerable citizens.

Sincerely,

/s/

Drew Snyder
Deputy Administrator and Director

Discrimination is Against the Law

The Washington State Health Care Authority complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. The Health Care Authority does not exclude people or treat them differently because of their race, color, national origin, age, disability, or sex.

The Health Care Authority also complies with applicable state laws and does not discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status, religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.

The Health Care Authority:

- Provides free aids and services to people with disabilities so they can communicate effectively with us, such as:
 - Qualified sign language interpreters
 - Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Provides free language services to people whose primary language is not English, such as:
 - Qualified interpreters
 - Information written in other languages

If you need these services, contact 1-855-682-0787.

If you believe that the Health Care Authority has failed to provide these services or discriminated in another way, you can file a grievance with:

Health Care Authority Division of Legal Services
ATTN: Compliance Officer

PO Box 42704
Olympia, WA 98504-2704
1-855-682-0787
Fax: 1-360-507-9234

Compliance@hca.wa.gov

You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, the Health Care Authority Division of Legal Services is available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights electronically at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue SW
Room 509F, HHH Building
Washington, D.C. 20201
1-800-368-1019, 800-537-7697 (TDD).

Complaint forms are available at www.hhs.gov/ocr/office/file/index.html.

[English] Language assistance services, including interpreters and translation of printed materials, are available free of charge. Call 1-800-562-3022 (TRS: 711).

[Amharic] የቋንቋ እገዛ አገልግሎት፣ አስተርጓሚ እና የሰነድ-ችን ትርጉም ጨምሮ በነጻ ይገኛል። 1-800-562-3022 (TRS: 711) ይደውሉ።

[Arabic] خدمات المساعدة في اللغات، بما في ذلك المترجمين الفوريين وترجمة المواد المطبوعة، متوفرة مجاناً، اتصل على رقم 1-800-562-3022 (TRS: 711).

[Burmese] ဘာသာပြန်ဆိုသူများနှင့် ထုတ်ပြန်ထားသည့် စာရွက်စာတမ်းများဘာသာပြန်ခြင်းအပါအဝင် ဘာသာစကားအထောက်အကူဝန်ဆောင်မှုများကို အခမဲ့ရရှိနိုင်ပါသည်။ 1-800-562-3022 (TRS: 711) ကိုဖုန်းခေါ်ဆိုပါ။

[Cambodian] សេវាជំនួយភាសា រួមមានទាំងអ្នកបកប្រែផ្ទាល់មាត់ និង ការបកប្រែឯកសារបោះពុម្ព គឺអាចរកបានដោយឥតគិតថ្លៃ។ ហៅទូរស័ព្ទទេវៈលេខ 1-800-562-3022 (TRS: 711)។

[Chinese] 免费提供语言协助服务，包括口译员和印制资料翻译。请致电 1-800-562-3022 (TRS: 711)。

[Korean] 통역 서비스와 인쇄 자료 번역을 포함한 언어 지원 서비스를 무료로 이용하실 수 있습니다. 1-800-562-3022 (TRS: 711)번으로 전화하십시오.

[Laotian] ການບໍລິການດ້ານພາສາ, ລວມທັງນາຍແປພາສາ ແລະ ການແປເອກສານຕີພິມ, ມີໄວ້ໃຫ້ຟຣີໂດຍບໍລິເວນ. ໂທຫາເລກ 1-800-562-3022 (TRS: 711).

[Oromo] Tajajilli gargaarsa afaanii, nama afaan hiikuu fi ragaalee maxxanfaman hiikuun, kaffaltii malee ni argattu. 1-800-562-3022 (TRS: 711) irratti bilbilaa.

[Persian] خدمات کمک زبانی، از جمله مترجم شفاهی و ترجمه اسناد و مدارک (مطالب) چاپی، بصورت رایگان ارائه خواهد شد. با شماره 1-800-562-3022 تماس بگیرید. (TRS: 711)

[Punjabi] ਭਾਸ਼ਾ ਸਹਾਇਤਾ ਸੇਵਾਵਾਂ—ਦੁਭਾਸ਼ੀਏ ਅਤੇ ਪ੍ਰਿੰਟ ਕੀਤੀ ਹੋਈ ਸਮੱਗਰੀ ਦੇ ਅੰਨ੍ਹਵਾਦ ਸਮੇਤ—ਮੁਫਤ ਉਪਲੱਬਧ ਹਨ। 1-800-562-3022 (TRS: 711) 'ਤੇ ਕਾਲ ਕਰੋ।

[Romanian] Serviciile de asistență lingvistică, inclusiv cele de interpretariat și de traducere a materialelor imprimate, sunt disponibile gratuit. Apelați 1-800-562-3022 (TRS: 711).

[Russian] Языковая поддержка, в том числе услуги переводчиков и перевод печатных материалов, доступна бесплатно. Позвоните по номеру 1-800-562-3022 (TRS: 711).

[Somali] Adeego caawimaad luuqada ah, ay ku jirto turjubaano afka ah iyo turjumid lagu sameeyo waraaqaha la daabaco, ayaa lagu helayaa lacag la'aan. Wac 1-800-562-3022 (TRS: 711).

[Spanish] Hay servicios de asistencia con idiomas, incluyendo intérpretes y traducción de materiales impresos, disponibles sin costo. Llame al 1-800-562-3022 (TRS: 711).

[Swahili] Huduma za msaada wa lugha, ikiwa ni pamoja na wakalimani na tafsiri ya nyaraka zilizochapishwa, zinapatikana bure bila ya malipo. Piga 1-800-562-3022 (TRS: 711).

[Tagalog] Mga serbisyong tulong sa wika, kabilang ang mga tagapagsalin at pagsasalin ng nakalimbag na mga kagamitan, ay magagamit ng walang bayad. Tumawag sa 1-800-562-3022 (TRS: 711).

[Tigrigna] ትርጉም-ችን ናይ ዝተፅሓፉ ማተርያላት ትርጉምን ሓዊሱ ናይ ቋንቋ ሓገዝ ግልጋሎት፣ ብዘይ ምንም ክፍሊት ይርከቡ። ብ 1-800-562-3022 (TRS: 711) ደውሉ።

[Ukrainian] Мовна підтримка, у тому числі послуги перекладачів та переклад друкованих матеріалів, доступна безкоштовно. Зателефонуйте за номером 1-800-562-3022 (TRS: 711).

[Vietnamese] Các dịch vụ trợ giúp ngôn ngữ, bao gồm thông dịch viên và bản dịch tài liệu in, hiện có miễn phí. Gọi 1-800-562-3022 (TRS: 711).