



HEALTH CARE FOR THE HOMELESS TESTIMONY
FAVORABLE
SB 828 – Immigration Enforcement - Sensitive Locations - Guidelines and Policies
(Protecting Sensitive Locations Act)

Senate Judicial Proceedings Committee
March 4, 2025

Health Care for the Homeless supports SB 828, which would require the Attorney General to develop guidelines relating to immigration enforcement at specified sensitive locations. The bill also requires State agencies that operate at sensitive locations to adopt certain policies or provide notice of a decision not to adopt certain policies with regard to immigration enforcement at their facilities in accordance with the Attorney General guidance.

The bill specifies certain sensitive locations, including health centers, but also includes important locations with services that are complementary to ours, such as homeless shelters, schools, and food banks. Importantly, the bill makes it clear that this list is not exhaustive, noting that sensitive locations will include “any other location deemed appropriate by the Attorney General.”

Rescission of Federal Sensitive Location Protection Policy

On January 20, 2025, the Trump Administration rescinded a longstanding policy that protected certain areas— known as sensitive locations—from immigration enforcement.¹ As a federally qualified health center, Health Care for the Homeless was deemed a sensitive location and, thus, protected under the former policy. Without these protections, immigration officials can now take broad enforcement actions in our health centers, leaving our providers and clients feeling vulnerable. Providers and clients report living in fear every day of immigration enforcement in our health centers.

Protecting sensitive locations from immigration enforcement is essential to ensuring all our community members can access basic services and support without fear. The rescission of the sensitive locations protections, along with all of the additional sweeping attacks on immigrant families by the federal Administration, has created unbridled fear in immigrant families. We see this fear play out every day with the clients we serve. Inevitably, the effect will be that people hesitate to receive necessary services for fear of deportation.

This bill will help combat the vulnerability our providers and clients feel by providing clear guidance on enforcement boundaries, building trust in our health centers and throughout our communities. Additionally, codifying the mandate for the Attorney General to issue guidance on sensitive locations will ensure that these guidelines remain in place, further providing greater certainty that our communities need.

¹ <https://www.nilc.org/resources/factsheet-trumps-rescission-of-protected-areas-policies-undermines-safety-for-all/>

Attorney General Guidance for Healthcare Providers

In January, the Maryland Office of the Attorney General issued guidance for Maryland healthcare providers regarding immigration enforcement activity.² The guidance included a statement of intent that “[t]he State of Maryland has an interest in ensuring that all residents feel safe and secure when accessing healthcare services. To advance this mission, and at the request of the Maryland Secretary of Health, the Office of the Attorney General offers this guidance for Maryland’s healthcare providers. The guidance aims to help providers prepare for the possibility of increased federal immigration enforcement operations at hospitals and other healthcare facilities.” While Health Care for the Homeless necessarily has in place strong protocols for any interactions with law enforcement or the legal system, this guidance was able to confirm the appropriateness of our protocols as well as send a clear signal to the health care community that we should put in place the broadest possible protocols to protect our clients. Further, standardization of protocols across all health centers is important for the provision of health care in the State.

For entities that would be covered as a “sensitive location,” not only would the Attorney General guidance provide them clarity on allowable policies to protect their clients or constituents, it would also provide the some level of protection for those entities instituting such policies. One main intention of the bill is to authorize sensitive locations to establish and publish policies that limit immigration enforcement on their respective premises to the fullest extent possible consistent with federal and State law based on guidelines developed by the Attorney General. Without Attorney General guidance, entities may be inclined to take a more conservative approach in their policies regarding interactions with immigration enforcement for fear of non-compliance with the law. As such, entities may be less inclined to have broad policies limiting federal immigration enforcement compliance. Attorney General guidance will clarify the permissible protections those entities can put in place so that they feel confident in compliance with current law.

While Health Care for the Homeless must necessarily have robust protocols for interactions with any law enforcement as matter of compliance with a number of health privacy and confidentiality laws, many of the covered entities have never needed to consider interactions with law enforcement and would not know what to do. Those entities would need guidance on putting in place policies on immigration enforcement interactions. Further, because so many sensitive locations operate services that complement the services we provide and impact the clients we serve, guidance on how to provide the broadest possible protections in those locations will also benefit our clients and their overall health and well-being.

Since the bill also requires the Attorney General to consult with appropriate stakeholders in developing these guidelines, our hope is that the Attorney General’s guidance will contain the broadest possible interpretation of policies regarding actions of immigration enforcement in sensitive locations. We also hope that such stakeholders will be able to advise the Attorney General on the most comprehensive list of sensitive locations to be included in the bill.

Just as health care providers benefit from the guidance the Attorney General provided us in January, other sensitive locations will benefit from guidance specific to them as well. Immigrant families

² Maryland Office of the Attorney General, Guidance Memorandum, *Immigration Enforcement Activity: Guidance for Maryland Healthcare Providers*, available at https://www.marylandattorneygeneral.gov/News%20Documents/012825_25_Healthcare_Guidance.pdf.

should be able to access services without fear that they will be apprehended by federal immigration authorities. Clear enforcement boundaries build trust, strengthening communities and institutions.

We urge a favorable report.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 11,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

For more information, visit www.hchmd.org.