

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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**MEMORANDUM**

July 13, 2023

**To: Members, Subcommittee on Health Care and Financial Services**

**From: Committee Staff**

**Re: Hearing on “Why Expanding Medicaid to DACA Recipients Will Exacerbate the Border Crisis”**

On Tuesday, July 18, 2023, at 2:00 p.m. EDT, in room 2247 of the Rayburn House Office Building, the Oversight and Accountability Subcommittee on Health Care and Financial Services will host a hearing on “Why Expanding Medicaid to DACA Recipients Will Exacerbate the Border Crisis.”

**I. BACKGROUND:**

In April 2023, the Centers for Medicare and Medicaid Services (CMS) issued a notice of proposed rulemaking (NPRM) that will expand access to Medicaid, Children’s Health Insurance Program (CHIP), and the Patient Protection and Affordable Care Act (ACA) marketplace eligibility to Deferred Action for Childhood Arrivals (DACA) recipients. The NPRM reinterprets the definition of the term “lawfully present” in the United States for the purposes of federal healthcare benefits eligibility.

**II. HEARING PURPOSE:**

The hearing will examine how the NPRM expanding federal healthcare benefits to DACA recipients will incentivize illegal immigration and worsen the crisis along the southwest border.

**III. WITNESSES:**

**Dr. Ellen Montz**

Deputy Administrator and Director

Center for Consumer Information and Insurance Oversight

Centers for Medicare and Medicaid Services

*Additional witnesses to be announced.*