

EXHIBIT 22



Occupational Therapy:
Living Life To Its Fullest®

Submitted via www.Regulations.gov

October 31, 2019

Edward J. Ramotowski
Deputy Assistant Secretary
Visa Services
Bureau of Consular Affairs
Department of State

Department of State Desk Office
Office of Information and Regulatory Affairs
Office of Management and Budget

Regarding Immigrant Health Insurance Coverage Docket Number DOS-2019-0039 Form Number DS-5541

Dear Deputy Assistant Secretary Ramotowski:

The American Occupational Therapy Association (AOTA) is the national professional association representing the interests of more than 213,000 occupational therapists, occupational therapy assistants, and students of occupational therapy. The practice of occupational therapy is science-driven, evidence-based, and enables people of all ages to live life to its fullest by promoting health and minimizing the functional effects of illness, injury, and disability. We appreciate this opportunity to comment on the implementation of the October 4, 2019 Presidential Proclamation mandating that immigrant visa applicants buy certain approved health insurance products or prove that they can pay for reasonably foreseeable medical expenses.

Occupational therapy helps individuals access and fully participate in society – to engage in activities that are meaningful to them, to work, go to school, and achieve self-sufficiency. Occupational therapy practitioners have a responsibility to address barriers to participation in society and inequities that lead to health disparities.¹ AOTA is concerned that this proclamation, which does not permit Medicaid or subsidized ACA marketplace plans to fulfill the new health insurance requirements, will weigh particularly heavily on people with disabilities, barring them from lawful entry to the United States.

The proclamation's approved forms of coverage may not be appropriate for people with disabilities. Many people with disabilities rely on Medicaid for the services and supports they need to work, go to school, and achieve self-sufficiency because Medicaid offers home and community-based services that are not available in private plans. The proclamation also blocks access to subsidized ACA marketplace coverage, which has important protections for people

¹ See American Occupational Therapy Association. (2014). Occupational therapy's commitment to nondiscrimination and inclusion. *American Journal of Occupational Therapy*, 68(Suppl. 3), S23-24. <https://doi.org/10.5014/ajot.2014.686S05> and American Occupational Therapy Association. (2013). AOTA's societal statement on health disparities. *American Journal of Occupational Therapy*, 67(Suppl. 6), S7-S8. <https://doi.org/10.5014/ajot.2013.67S7>

with disabilities and chronic conditions. ACA marketplace plans cannot deny coverage or charge more based on a pre-existing condition, and they are required to cover a comprehensive set of essential health benefits, including rehabilitative and habilitative services. Instead, immigrant visa applicants would be pointed to types of coverage like short-term and catastrophic plans that may lack the protections they need.

Short-term plans can deny coverage or charge more based on a person's medical history, and they are not required to cover essential benefits like rehabilitation and habilitation. We are concerned that immigrant visa applicants are being steered into types of coverage that are not required to cover occupational therapy services. We are also concerned that requiring our new neighbors to avoid comprehensive plans will lead to increased uncompensated care costs when they need health care services that aren't covered by less-comprehensive forms of coverage.

We ask the Administration not to move forward with implementing this proclamation and urge the President to rescind it.

Sincerely,



Laura Hooper
Manager, Health Policy