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# SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair  
2025 - 2026 Regular Session

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## **SB 915 (Menjivar) - Health care provider entities: patients accompanied by immigration enforcement officers**

**Version:** April 28, 2026

**Urgency:** No

**Hearing Date:** May 4, 2026

**Policy Vote:** HEALTH 8 - 2, JUD. 11 - 2

**Mandate:** No

**Consultant:** Agnes Lee

**Bill Summary:** SB 915 would impose requirements at health care provider entity facilities when a patient is accompanied by an immigration enforcement officer while receiving treatment or care.

**Fiscal Impact:** Unknown ongoing costs, likely hundreds of thousands, for the California Department of Public Health (CDPH) for state administration (Licensing and Certification Fund).

### **Background:**

Confidentiality of Medical Information Act. California law establishes the Confidentiality of Medical Information Act (CMIA), which prohibits a health care provider, health plan, or contractor from disclosing medical information regarding a patient without first obtaining authorization. The CMIA prohibits a health care provider, health plan, contractor, or corporation and its subsidiaries and affiliates from disclosing medical information for immigration enforcement, except to the extent expressly authorized by a patient, enrollee, or subscriber, or as required by a court order or other specified legal proceeding, or as permitted for certain purposes including for the treatment of the patient.

Patient Access and Protection. Current state law requires a health care provider entity, to the extent possible, to establish or amend procedures for monitoring, documenting, and receiving visitors to health care provider entities. Health care provider entities are encouraged to post a “notice to authorities” at facility entrances. Health care provider entity personnel must immediately notify health care provider entity management, administration, or legal counsel of any request for access to a health care provider entity site or patient for immigration enforcement. Health care provider entity personnel must also immediately provide any requests for review of health care provider entity documents, including through a lawfully issued subpoena, warrant, or court order, to health care provider entity management, administration, or legal counsel. If a request is made to access a health care provider entity site or patient, including to obtain information about a patient or their family, for immigration enforcement, health care provider entity personnel must direct that request to the designated health care provider entity management, administrator, or legal counsel.

Current state law also requires a health care provider entity to designate areas where patients are receiving treatment or care, or where a patient is discussing protected health information, as nonpublic. The facility is encouraged to designate these areas

through mapping, signage, key entry, policy, or a combination of those. Unless required by state or federal law, a health care provider entity and its personnel cannot allow any person access to the nonpublic areas of the facility for immigration enforcement purposes, unless that person has a valid judicial warrant or court order that specifically grants access to the nonpublic areas of the facility. A health care provider entity and its personnel must, to the extent possible, have the denial of permission for access to nonpublic areas of the facility witnessed and documented by at least one health care provider entity personnel. Health care provider entities must inform staff and relevant volunteers on how to respond to requests relating to immigration enforcement that grants access to health care provider entity sites or to patients.

**Proposed Law:** Specific provisions of the bill would:

- Provide that a patient who is accompanied by an immigration enforcement officer while receiving treatment or care at a health care provider entity facility must retain all rights afforded to any other patient, as mandated by California and federal laws and regulations, as specified.
- Require a health care provider entity to do both of the following when there is a patient accompanied by an immigration enforcement officer:
  - Verify and document the identities and agencies of any accompanying immigration enforcement officers, to the extent possible.
  - Inform the patient of their rights, as described.
- Permit a health care provider entity to do both of the following when there is a patient accompanied by an immigration enforcement officer:
  - Provide the patient, patient's family members, or designated persons with a list of immigrant resources, including, but not limited to, know-your-rights materials and information about pro bono legal services providers.
  - Provide the patient access to social, educational, and spiritual support services.
- Provide that an immigration enforcement officer cannot remain in a patient's room or patient care area unless legally authorized, such as with a valid judicial warrant or court order, or unless there is a credible risk of harm to personnel or other patients, as determined by the health care provider entity, and this risk is documented in the patient's medical record.
- Provide that if an immigration enforcement officer remains in the patient's room or patient care area for any reason, a health care provider entity must ask the immigration enforcement officer to step out of the patient's room when discussing any matters pertaining to patient care, or performing any physical examination, or providing any medical care, unless there is a credible risk of harm to personnel or other patients, as determined by the health care provider entity, and this risk is documented in the patient's medical record.
- Provide that an immigration enforcement officer does not have authority to make, influence, or participate in medical decisions on behalf of patient they accompany,

including decisions regarding treatment, care, and discharge; and prohibit a health care provider entity from deferring to an immigration enforcement officer on any matter pertaining to patient treatment or care.

- Prohibit a health care provider entity from utilizing immigration enforcement officers to provide interpretation for patient care or consent.
- Require that, if an immigration enforcement officer refuses to comply with these provisions, the health care provider entity personnel must report the refusal to comply to the health care provider entity management, administration, or legal counsel, who shall then document the actions, and to the extent possible, the name and badge number of the immigration enforcement officer.
- Prohibit a health care provider entity from using blackout policies, as defined, when treating a patient who is accompanied by an immigration enforcement officer, unless requested by the patient, or unless there is a credible risk of harm to the patient or other persons, as determined by the health care provider entity, and this risk is documented in the patient's medical record.
- Provide that a health care provider entity is deemed to have satisfied its obligations under these provisions if it has complied with these requirements, regardless of whether an immigration enforcement officer fails to comply with the health care provider entity's requests or these requirements.
- Require, prior to discharging a patient, who is accompanied by an immigration enforcement officer, from a health care provider entity that is licensed, as specified, the health care provider entity must follow discharge planning requirements consistent with state and federal regulations, including coordinating the discharge plan with the facility where the patient will be transferred, if applicable.
- Provide that if a patient in the custody of an immigration officer has a valid judicial warrant for a violation of state or federal criminal law, these provisions do not prevent the patient from being subject to restrictions permitted for a patient in the criminal custody of a law enforcement agency.

**Related Legislation:** SB 1323 (Rubio) would require health care provider entities to inform staff and relevant volunteers on how to respond to requests by a person who is in lawful custody by immigration enforcement to notify a family member or designated support person about their current location. The bill is scheduled to be heard May 4, 2026 in this committee.

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