



Tipsheet: Coordinating with Attorneys to Advance Care for Immigrant Patients

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Immigration status is a social and structural determinant of health. Obtaining legal status to remain in the U.S. is often crucial for the health and wellbeing of immigrant patients, particularly those with trauma exposure and health conditions. Immigration cases are strengthened by objective statements about an individual's health and treatment. Healthcare providers may receive requests for documentation from an attorney or directly from a patient. These may include medical records, letters of support, or consultation. Immigration judges and officers consider these forms of documentation when making decisions about health-related accommodations, release from detention, and immigration relief.

This tipsheet offers practical knowledge to those coordinating with attorneys and writing letters of support for their immigrant patients. Please note that the information offered here is a starting point; it is critical that providers communicate with patients and attorneys about their unique context in order to provide adequate health documentation.

Common Scenarios

Patients or attorneys often request the following forms of health-related documentation:

- Documentation of a health condition (e.g., developmental disability; chronic illness)
- Documentation of attendance in treatment (e.g., individual has attended weekly individual therapy sessions for 16 weeks)
- Treatment summary (e.g., summary of child being treated for PTSD)

Health-related documentation can be useful across various types of immigration cases and proceedings, including:

- Request for accommodations in court
- Bond hearing for detention release
- Cancellation of removal
- Asylum and other "fear of return" claims
- T Visa
- U Visa
- Special Immigrant Juvenile Status (SIJS)
- Prosecutorial discretion



Best Practices for Communication with Attorneys

- Check in with your risk management and/or leadership teams at your organization.
 - Is there a standing policy on providing the requested documentation?
 - Is the requested documentation within your scope of practice?
- Request that your patient sign a release of information (ROI) to document their authorization for exchange of health information with their attorney.
- Speak with the patient's attorney to gather more information. Some questions you may wish to ask during an initial call include:
 - What is the purpose of the letter? What issues should it address?
 - Are there specific topics you would like me to focus on?
 - By when do you need this letter?
 - Is there anything else I should know about the case to strengthen the letter?

Best Practices for Letter Writing

- Address the areas of focus identified by the attorney.
 - E.g., Diagnosis, current status of treatment, long-term treatment needs, health-related vulnerabilities, educational consequences of health status, inability to seek effective medical services for condition in home country
- Stay within your scope of practice.
 - Use objective language.
 - Write from your medical expertise, as you would in any other health-related documentation.
 - Do not comment on legal questions, such as your perception of a patient's eligibility for asylum or the sociopolitical conditions of a patient's country of origin.
- Invite feedback from the attorney.
 - Send a draft of the letter to the attorney to review before finalizing.
- Include the following components:
 - **Who you are writing to:** Ask the attorney who you should address the letter to. The audience for a letter of support could be for the immigration judge, the asylum office, or U.S. Citizenship and Immigration Services (USCIS).
 - **Your qualifications as a healthcare provider:** Introduce yourself and describe your level of training, years in practice, areas of expertise, and experience working with specific populations. If writing from within a health system, use organizational letterhead when possible.
 - **Your relationship to the patient:** State your relationship to the patient and how long you have known them.



- **Facts about the patient's health:** Use objective language to describe the patient's history, current symptoms/diagnoses, and treatment.
- **Your professional opinion:** Offer your recommendations of the conditions that would most support the client's wellbeing based on your interpretation of clinical data, current literature, and best practice. Stay away from making legal arguments.
- **Compelling conclusion:** Restate the main conclusion of your client's health conditions as it relates to their immigration case.
- **Signature:** Date and sign the letter in black ink or with an official digital signature. If a trainee is completing the
- **Supporting documents:** Attach your Curriculum Vitae. Decide with the attorney whether it may help the case to provide medical records, reports, and referrals.

References/Additional Resources

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