

Historical overview of us govt's role in long term healthcare

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ACase Study: WhyIllegal ImmigrationIs an Intergovernmental Mess and Will Remain So Debra Nance April 22, 2012 PMG 300Critical ThinkingIntroduction: Along with religion and taxes, do not bring up illegalimmigrationat a dinner party unless you want heated discussions and grand exits along with lingering strained relationships. A discussion on illegal immigration leads to strong responses and strong emotions no matter what political party affiliation. There are those that blame the Feds for not guarding the borders well enough. And then there are others that blame the Feds for not defending the rights of all citizens.

There are those that blame state and local governments for spending on services for " Illegals" that should be spent on " real" citizens. And then there are others that blame state and local governments for not taking better care of ALL of their citizens legal or illegal. While there are others who point the finger in anger at anyone who breaks the law and consider illegal immigration is just that - illegal. And yet others see America as a nation of immigrants and we should open our borders and welcome all in with open arms to citizenship - no matter how they got here.

There is no middle ground - it is legal or illegal, right or wrong. People want something done by their government but what is the right direction for illegal immigration? I. Why have state and local governments become more active in regulating illegal immigrants during recent years? Our text refers to illegal immigration as " the mother of all unfunded mandates". Once the immigrants cross the borders, (that the States believe are not being

controlled adequately by the Federal Government), they fall under the jurisdiction of State and Local governments.

State, County, and City Governments, as well as School Districts, bear the financial brunt of providing services for the immigrants in an economy that has services being cut for citizens. Schools are providing educations to children in the country illegally at a time that School Districts are already cutting budgets to be able to meet the needs to legal students. County Hospitals that are already underfunded to provide indigent and uninsured care for citizens are also providing health services for the immigrants.

Local Law Enforcement and City and County jails deal with those immigrants that break the law and are having to absorb those costs until they can be handed off to Federal Immigration services for deportation. State and local governments have been handed the problem of illegal immigrants by the Federal government. The Feds are not funding the services that have to be provided to these people and yet Government - either elected official or civil servant - is doing nothing to strengthen enforcement of the laws to remove those that are here illegally or to strengthen the borders and immigration process to keep illegal immigrants out.

For the financial survival of many of our Border States; either illegal immigrants are breaking the law and need to leave the country or the laws need to be changed. This schizophrenic attitude towards immigration law enforcement has to stop - either the law has been broken or it has not and appropriate action needs to be taken. Either people are breaking the law and should be deported or they should be offered citizenship or the legal ability

to stay. The States and Local Governments cannot afford to support illegal immigrant services and still take care of their own citizens.

II. How does the design of American federalism lead to the types of intergovernmental conflicts found in the area of immigration? The Federal Government is responsible for Ports of Entry, Customs regulation, and Border Security. According to the Pew Hispanic Center, there were 11 million illegal immigrants living in the United States in 2007. If that many people are able to live in the United States illegally, the Federal Government has failed in its obligations to protect the borders and enforce immigration laws.

The argument then continues that if the Federal Government is unable to meet their obligations of protection of the borders and enforcement of legal naturalization, then there should be no Federal Mandate to the State and Local governments without funding to support it. Or if there is no funding and the States and Local governments have to then fund these services, States Rights and Local Government Rights should prevail on the decisions as to what services should or should not be offered. If the State or Local governments do not want to provide education or medical services to illegal immigrants then they should not have to do so.

The Federal Government has a history of unfunded mandates to the States and County government. One example was in the 1970s with changes to Mental Health laws and providing of treatment services. Once it was determined in the courts that people could not be kept in mental hospitals if they were no danger to anyone else, and that they should be free to live their lives outside of institutions, the responsibility was shifted to the

Community Mental Health service model. In this model, poor mentally ill people were to be treated in county outpatient clinics.

Except like services for illegal immigrants, adequate funding was not provided to the States or to the Counties to support the model and now many poor mentally ill people are in jail or are homeless and not receiving any treatment. Conclusion: Illegal immigration will continue to be an emotional and heated topic no matter how it is resolved. Immigration deals with people and their lives. Once you put a face and name of someone you know as an illegal immigrant it is hard to be black and white about the law and enforcement of that law.

I have friends whose parents are illegally in the country from Ireland and have been here for years. Granny and Pa just came for a visit and never went home. Even after the focus on lapsed visas after 9/11 - they are still here. And if they were to admit they overstayed their visa - they would not be able to get back in the country. They are not hurting anyone and are being supported by their adult children and assist the family by providing childcare for the grandchildren. They pay for any services they use. But they are breaking the law. It is hard to think of these sweet old people being deported in handcuffs.

I have sat with them for tea and eaten Granny's shortbread. But they are breaking the law and are no different from the Hipic lady desperately trying to stay here long enough to give birth to an "Anchor Baby" that will be born with citizenship and allow her to stay in the States. (That same Anchor Baby that gets brought up over and over again on Conservative Talk Radio.) How

do I defend Granny and Pa's status and not also defend the lady with her anchor baby? Like those heated dinner party discussions - there is no middle ground when it comes to illegal immigration.