

Five Ways Immigration Reform Benefits Home Care Consumers



A Brief by



April 2013

FOREWORD

Home care consumers have made it clear that a workforce where workers are adequately trained, compensated and treated fairly, is a critical component of creating and ensuring quality care. In this brief, the National Consumer Voice for Quality Long-Term Care (Consumer Voice) will discuss the inadequacies of the current immigration system and the role of comprehensive immigration reform in meeting our nation's growing demand for home care workers. Most importantly to consumers, we will focus on how immigration reform would directly benefit individuals receiving long-term care in the home by ensuring access to, and improving the overall quality of, these services. In conclusion, we will provide consumers and their advocates with strategies to advance comprehensive immigration reform.

IMMIGRATION REFORM BACKGROUND

Immigrants are an intrinsic part of American history. As a nation, our ancestry is incredibly diverse, representing descendants from countless nationalities. The culture, values and accomplishments of immigrants are deeply woven into the fabric of our society, and our nation's economy continues to be enriched by the innovation and contributions of immigrant workers.

As of 2011, there were roughly 40 million foreign-born individuals residing in the United States (1). Although the size of the immigrant population is at its peak, foreign-born individuals make up 12.9% of the total population, falling below the highest recorded share of the population (14.7%) in 1910 (2). Nonetheless, our nation faces considerable immigration challenges. For example, the unauthorized immigrant population has been higher in the past decade than in any years prior. In 2011, an estimated 11.1 million unauthorized immigrants resided in the United States, and approximately 8 million of these individuals were part of our nation's workforce (3). A significant portion of these individuals are part of what is commonly referred to as the 'low-skilled' labor force (despite the various skills necessary for such labor), working in occupations that typically do not require more than a high school diploma. There has been a growing demand for immigrant workers in this particular job market due to a shortage of U.S.-born individuals entering into the 'low-skilled' workforce. However, as the current immigration system provides inadequate legal channels for such workers, many have immigrated to the United States without authorization.

Our nation's immigration policy has remained largely unaltered since passage of the Immigration and Naturalization Act of 1965. This landmark law ended the nation's use of a highly discriminatory quota system that set immigration limits based on nationality and established the basic structure of today's immigration system, which gives preference to immigrants based on categorizations such as critical skills and family ties. Other laws were enacted in the years following - such as the Immigration Reform Act of 1986 (which provided a path to legalization for roughly 3 million unauthorized immigrants) - to address smaller-scale immigration issues. However, no extensive federal action on immigration reform has taken place since the Immigration and Naturalization Act, despite the agreement among most Americans that such action is long overdue.

Comprehensive immigration reform is essential to addressing the inefficiency within our current system, including the lack of sufficient opportunities for legal immigration. Again, there are limited channels for employment-based immigration, especially for 'low-skilled' workers - a category that many direct care workers, particularly those employed as personal care or home health aides, fall under. The current system fails to address our nation's future employment-based immigration needs, including the growing demand for direct care workers. Even in cases where foreign-born individuals qualify for temporary or permanent residency, these individuals could wait years - and in some cases, decades - to obtain legal status due to immigration backlogs. Furthermore, no pathways toward citizenship are available to the 11.1 million unauthorized immigrants already residing within the United States.

IMMIGRATION AND THE HOME CARE WORKFORCE

As the baby boomer population ages in the coming decades, the number of individuals in need of long-term care will increase dramatically. The older adult population (the number of U.S. adults aged 65 and over) is projected to increase to 88.5 million by 2050, more than double its current size (4). Correspondingly, the long-term care constituency, consisting of elderly and/or disabled individuals in need of long-term services and supports, will more than double by 2050, from 12 million to roughly 27 million individuals (5).

The Consumer Voice's *Consumer Perspectives on Quality Home Care* report - which highlighted ways to improve the quality of home care based on input received from more than 250 home care consumers - found that consumers prefer to receive needed long-term services and supports at home (as opposed to within a facility) for various reasons. For example, receiving care at home enables consumers to remain active in their communities and allows for more personalized care. Additionally, many consumers continue to have negative perceptions of long-term care facilities and prefer to remain at home if given the opportunity. Based on the most recent home care data (collected in 2007), there are

approximately 1.5 million individuals receiving home care services (6). As new federal and state initiatives grant consumers greater access to home and community-based services, and the population in need of long-term care increases, the number of consumers receiving services and supports at home is expected to grow significantly.

A greater demand for home care services generates a greater need for home care workers. According to the Bureau of Labor Statistics, personal care aides and home health aides are expected to be among the fastest-growing occupations in the country between 2010 and 2020, with the need for personal care aides increasing by 71% and the need for home health aides increasing by 69% (7). Altogether, approximately 1,313,200 additional home care workers will be needed over the next decade (7). It is unlikely the United States will be able to meet the growing demand for these occupations without employing immigrant workers. Currently, there is not a sufficient amount of American-born workers entering into the field of home care to meet the increasing needs of consumers. The recruitment and retention of qualified home care workers has been an ongoing problem in the United States, largely due to the lack of opportunities for career advancement, as well as the limited wages, hours and/or benefits associated with the profession.

Immigrants are already estimated to make up a significant portion of all in-home care workers (28%) and will remain a critical part of the workforce in the years to come (8). Nearly 20% of immigrant home care workers are unauthorized (8), and this percentage will only increase if our immigration system is not adequately reformed. A comprehensive immigration reform plan, which provides unauthorized workers with an accessible path to citizenship and creates additional opportunities for foreign-born workers to immigrate to the United States, is an essential component of addressing the future workforce shortage and ensuring stability for consumers.

THE BENEFITS OF IMMIGRATION REFORM FOR HOME CARE CONSUMERS

1. Ensuring Access to Care by Addressing the Workforce Shortage

While many home care consumers may not initially recognize the connection between immigration reform and access to quality care, comprehensive immigration reform would serve to benefit consumers' interests in numerous respects. Most obviously, it would help to address future workforce needs. Once again, with the limited number of American-born workers entering the home care field, it is unlikely the growing demand for home care services will be met without the employment of qualified immigrant workers. In addition, based on the findings of the Consumer Voice's *Consumer Perspectives on Quality Home Care* report, consumers expressed a need for additional care hours. Immigration reform plays an important role in strengthening the home care workforce to meet the needs of long-term care consumers.

2. Creating Stability for Consumers by Reducing Worker Turnover

Immigration reform could also reduce some of the high turnover among home care workers, resulting in greater consistency for consumers. The frequent turnover rates of workers were expressed as a common concern of home care consumers in the *Consumers Perspectives on Quality Home Care* report. High turnover rates often undermine good care, as home care workers need adequate time to become familiar with the individual preferences and care needs of consumers. For home care consumers, the quality of their care is often contingent upon their day-to-day interactions with workers. Moreover, home care consumers often share strong personal relationships with their care workers, but these relationships are left vulnerable in cases where workers may potentially be forced to leave their positions due to immigration-related issues. Ensuring accessible pathways to citizenship for unauthorized immigrants working as home health or personal care aides could prevent home care consumers from losing workers they have come to trust and rely upon for their care.

3. Improving Safety and Transparency for Home Care Consumers

In addition, comprehensive immigration reform could aid in improving the protection of home care consumers. A common recommendation made by consumers in the *Consumers Perspectives on Quality Home Care* report was for the establishment of better screening methods for home care workers, such as the use of criminal background and employment history checks. Such screenings cannot be effectively conducted of unauthorized immigrants employed in the home care workforce, as employers do not generally keep accurate or accessible records of these individuals. Furthermore, many home care consumers self-direct their care and are responsible for overseeing the services and supports they receive, including the screening and hiring of care workers. Due to the costs associated with screening potential home care workers or confusion over how to conduct screenings, some consumers may not carry out adequate background checks of their potential aides. Should suitable screening methods be instituted as part of the requirement for unauthorized immigrant workers to obtain their legal residency, it would ensure that a significant amount of home care workers available for hire would already be screened prior to employment.

Consumers self-directing their care are also responsible for verifying that workers they employ are eligible to work within the United States; should a consumer hire an unauthorized care worker, the consumer could be held legally responsible for such an action through both civil and criminal penalties. However, if unauthorized immigrant workers were provided with pathways to legalization, and appropriate channels for the legal immigration of home care workers were established, consumers self-directing their care would have less cause for worry on the probability of hiring a care worker without legal residency status.

Comprehensive immigration reform could also assist consumers in locating quality help more easily, as previously unauthorized immigrant workers could qualify for inclusion in home care registries after obtaining legal residency status.

4. Improving Quality and Scope of Care for Consumers by Training Workers

Many consumers recognize that the adequate training of workers, including English language capabilities, is essential to improving home care quality. In the *Consumers Perspectives on Quality Home Care* report, a number of consumers expressed the desire to see their home care workers better trained. Improving access to legal immigration would increase the opportunities for education and training among existing care workers, which would help improve the quality of care consumers receive in their homes. Despite their significant presence within the home care workforce, unauthorized immigrants have limited access to vocational training programs or educational courses due to their residency status. Without providing unauthorized immigrants already employed in this field an accessible path towards citizenship, or creating additional opportunities for foreign-born individuals to enter this field legally, these individuals will continue to work in consumers' homes with insufficient access to educational and training opportunities that would enable them to improve their job and/or communication skills.

5. Creating a Positive Home Care Experience through Career Ladders for Workers

As mentioned previously, unauthorized immigrant workers have limited exposure to training and educational programs that create opportunities for upward job mobility. Yet, providing home care workers with career advancement prospects has been identified as an essential component of the retention and recruitment of a qualified workforce. Immigration reform could aid in improving these workers' access to career ladders (such as education, training and career planning) and further encourage the development of a skilled home care workforce. The professionalization of the workforce would result in enhanced wages and working conditions for all home care workers, while at the same time improving care for consumers. In our interviews and interactions with home care consumers, the Consumer Voice has consistently heard that increased compensation for workers is vital for the improvement of home care quality. Improving wages for care workers would increase their longevity in the field and improve overall job satisfaction, resulting in better relationships with – and better treatment of – home care consumers. In addition, many consumers not only support better wages for their own benefit; they also value their care workers and believe that providing workers with greater compensation is the right thing to do.

SUMMARY

Home care workers, regardless of their origins, are vital to quality care. We can no longer afford to ignore the significant role immigrant workers play in the home care field. Comprehensive immigration reform is an essential step that must be taken in order to cultivate a skilled home care workforce, improve consumer access to needed services and supports, protect consumers' relationships with valued workers, and enhance the overall level of home care available to our nation's elderly and disabled populations.

STRATEGIES FOR CONSUMERS AND ADVOCATES TO ADVANCE IMMIGRATION REFORM

Consumers and their supporters can play a vital role in fixing our nation's broken immigration system. It is important for the unique needs and experiences of home care consumers to be shared within the context of the ongoing immigration debate. In order to advance national action on immigration reform, individuals should:

- 1. Contact their Legislators in the U.S. Senate and House of Representatives to Share Their Support of Immigration Reform:** Legislators need to hear from their constituents on why immigration reform is an important part of strengthening the home care workforce and improving quality care. Individuals can find the contact information for their legislators by going to <http://www.house.gov/representatives> and http://www.senate.gov/general/contact_information/senators_cfm.cfm and may use the information presented in this brief to help communicate their support.
- 2. Join the Caring Across Generations Campaign:** Caring Across Generations is a national movement aimed at improving how we care for elders and people with disabilities in the United States, as well as improving conditions for our nation's direct care workers. It is a leading voice in the campaign to create a path to legalization for home care workers and to create care jobs to meet our needs as a nation. You can join their campaign and find out more about the work Caring Across Generations is doing in support of immigration reform at their website, <http://www.caringacrossgenerations.org>.
- 3. Join the Consumer Voice Action Network:** The Consumer Voice Action Network is a way to make a difference in the lives of people receiving long-term care at home, in assisted living or in nursing homes and allows individuals to advocate easily and effectively for quality long-term services and supports. By joining the action network, individuals will be kept up-to-date on immigration reform policy developments, potential opportunities to advocate for comprehensive immigration reform, and other educational opportunities on immigration reform - such as the Consumer Voice's upcoming webinar on this topic to

be held in early May 2013. Individuals can join the Consumer Voice Action Network by registering at https://wfc2.wiredforchange.com/o/8641/signup_page/action-network or calling Sara Cirba, the Consumer Voice's Advocacy and Development Associate, at 202-332-2275, extension 221.

REFERENCES

(1) U.S. Census Bureau (2012). *The Foreign Born Population in the United States: 2010*. Washington, DC: U.S. Census Bureau.

(2) Aguilera, E. (2011). *39.9 Million Foreign-Born in U.S. Last year, Lags Behind 1910*. San Diego, CA: The San Diego Union-Tribune, LLC.

(3) Lynch, R. & Oakford, P. (2013). *The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants*. Washington, DC: The Center for American Progress.

(4) U.S. Census Bureau (2010). *The Next Four Decades: The Older Population in the United States: 2010 to 2050*. Washington, DC: U.S. Census Bureau.

(5) The SCAN Foundation (2012). *Growing Demand for Long-Term Care (Updated)*. Long Beach, CA: The SCAN Foundation.

(6) Caffrey, C., Sengupta, M., Moss, A., Harris-Kojetin, L., & Valverde, R. (2011). *Home Health Care and Discharged Hospice Care Patients: United States, 2000 and 2007*. Hyattsville, MD: National Center for Health Statistics.

(7) Bureau of Labor Statistics (2012). *Occupational Handbook, 2012-13 Edition*. Washington, DC: Bureau of Labor Statistics.

(8) Henrici, J. (2013). *Improving Career Opportunities for Immigrant Women In-Home Care Workers*. Washington, DC: Institute for Women's Policy Research.

ADDITIONAL RESOURCES CONSULTED

Caldwell, J. & Coates, J. (2013). *Immigration Reform: Key Issues for Older Adults and People with Disabilities*. Washington, DC: National Council on Aging & National Hispanic Council on Aging.

Direct Care Alliance (2011). *By Our Sides: The Vital Work of Immigrant Direct Care Workers*. New York, NY: Direct Care Alliance, Inc.

Giovagnoli, M. (2013). *Overhauling Immigration Law: A Brief History and Basic Principles of Reform*. Washington, DC: American Immigration Council.

Hess, C. & Henrici, J. (2013). *Increasing Pathways to Legal Status for Immigrant In-Home Care Workers*. Washington, DC: Institute for Women's Policy Research.

Holzer, H. (2011). *Immigration Policy and Less-Skilled Workers in the United States: Reflections on Future Directions for Reform*. Washington, DC: Migration Policy Institute.

Langur, G. (2013). *Public Views on Immigration Reform Underscore the GOP's Conundrum*. New York, NY: ABC News.

Martin, S., Lowell, B., Gozdzik, E., Bump, M. & Breeding, M. (2009). *The Role of Migrant Workers in Aging Societies: Report on Research Findings in the United States*. Washington, DC: Georgetown University.

National Consumer Voice for Quality Long-Term Care (2012). *Consumer Perspectives on Quality Home Care*. Washington, DC: National Consumer Voice for Quality Long-Term Care.

Sumption, M. & Papademetrio, G. (2013). *Legal Immigration Policies for Low-Skilled Foreign Workers*. Washington, DC: Migration Policy Institute.

For more information on this and other long-term care issues, contact:

National Consumer Voice for Quality Long-Term Care

1001 Connecticut Avenue, NW

Suite 425

Washington, DC 20036

Phone: 202-332-2275

Email: info@theconsumervoice.org

Web: <http://www.theconsumervoice.org>

We would like to thank Consumer Voice Leadership Council Member Jessica Brill Ortiz, National Advocacy Coordinator of the Direct Care Alliance, as well as Consumer Voice staff members Marybeth Williams, Public Policy Associate, Robyn Grant, Director of Public Policy and Advocacy, Amity Overall Laib, Manager, Long-Term Care Ombudsman Program & Policy, Sara Cirba, Advocacy and Development Associate and Sarah Wells, Executive Director, for their assistance with this brief.