

RELEASE

December 21, 2009

**JUDGE ENJOINS TERMINATION OF STATE MEDICAL ASSISTANCE
FOR LOW-INCOME LEGAL IMMIGRANTS**

In a momentous decision issued late on December 18, 2009, the Honorable Judge Grant H. Miller of Hartford Superior Court ruled that the state may not constitutionally terminate the State Medical Assistance for Non-Citizens (SMANC) program. The SMANC program provides medical assistance to low-income legal immigrants who have lived in the United States less than five years. As a result of Judge Miller's decision, 4,800 lawfully present immigrants who are aged, blind, disabled, or parents of needy dependent children will again be able to get medical treatment for their chronic conditions.

Judge Miller's decision was in response to a class action lawsuit filed by Greater Hartford Legal Aid on November 30th to stop the Department of Social Services from implementing a new state law which would have denied the plaintiffs any medical coverage except for emergency care. The lawsuit, brought by East Haven resident Hong Pham on behalf of herself and approximately 4,800 others like her, alleged that Public Act 09-5 violated the equal protection guarantees of the Connecticut and the United States constitutions. Judge Miller agreed and permanently enjoined the Department of Social Services from implementing the challenged provisions of Public Act 09-5.

Judge Miller's decision continues Connecticut's longstanding commitment to ensuring that medical benefits are provided to needy legal non-citizen residents and citizen residents on an equal basis.

The Department of Social Services has not announced whether it intends to appeal the decision or attempt to stay the decision pending appeal. Counsel for the plaintiffs are eagerly awaiting the opportunity to work with the Department of Social Services to ensure that the approximately 4,800 members of the plaintiff class are promptly notified that their benefits will continue so that they may obtain prescriptions and the treatment needed to avert serious health emergencies.

For more information, please contact one of the attorneys representing the plaintiffs:
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