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Attorney General Bonta Sues Trump Administration for Illegally Sharing Californians' Personal Health Data with ICE

Press Release / Attorney General Bonta Sues Trump Administration for Illegal...

Tuesday, July 1, 2025

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OAKLAND – California Attorney General Rob Bonta today, leading a multistate coalition, filed a lawsuit challenging the U.S. Department of Health and Human Services' (HHS) decision to provide unfettered access to individual personal health data to the Department of Homeland Security (DHS), which houses Immigration and Customs Enforcement (ICE). In the seven decades since Congress enacted the Medicaid Act to provide medical assistance to vulnerable populations, federal law, policy, and practice has been clear: the personal healthcare data collected about beneficiaries of the program is confidential, to be shared only in certain narrow circumstances that benefit public health and the integrity of the Medicaid program itself. In today's lawsuit filed in the U.S. District

Court for the Northern District of California, Attorney General Bonta and the coalition argue that the mass transfer of this data violates the law and ask the court to block any new transfer or use of this data for immigration enforcement purposes.

"The Trump Administration has upended longstanding privacy protections with its decision to illegally share sensitive, personal health data with ICE. In doing so, it has created a culture of fear that will lead to fewer people seeking vital emergency medical care," **said Attorney General Bonta.** "I'm sickened by this latest salvo in the President's anti-immigrant campaign. We're headed to court to prevent any further sharing of Medicaid data — and to ensure any of the data that's already been shared is not used for immigration enforcement purposes."

Created in 1965, Medicaid is an essential source of health insurance for lower-income individuals and particular underserved population groups, including children, pregnant women, individuals with disabilities, and seniors. The Medicaid program allows each participating state to develop and administer its own unique health plans; states must meet threshold federal statutory criteria, but they can tailor their plans' eligibility standards and coverage options to residents' needs. As of January 2025, 78.4 million people were enrolled in Medicaid and the Children's Health Insurance Program (CHIP) nationwide.

California's Medi-Cal program provides healthcare coverage for one out of every three Californians, including more than two million noncitizens. Noncitizens include green card holders, refugees, individuals who hold temporary protected status, Deferred Action for Childhood Arrival recipients, and others. Not all noncitizens are eligible for federally funded Medi-Cal services, and so California uses state-only funds to provide a version of the Medi-Cal program to all eligible state residents, regardless of their immigration status.

A certain amount of personal data is routinely exchanged between the states and the federal government for purposes of administering Medicaid, including verifying eligibility for federal funding. Historically, DHS has acknowledged that the Medicaid Act and other federal healthcare authorities foreclose the use of Medicaid personal information for immigration enforcement purposes. Yet now, the federal government appears to have — without formal acknowledgment — adopted a new policy that allows for the wholesale disclosure and use of state residents' personal Medicaid data for purposes unrelated to Medicaid program administration. On June 13, 2025, California and other states learned through news reports that HHS has transferred en masse their state's Medicaid data files, containing personal health records representing millions of individuals, to DHS. Reports indicate that the federal government plans to create a sweeping database for "mass deportations" and other large-scale immigration enforcement purposes.

The federal government claims it gave this data to DHS "to ensure that Medicaid benefits are reserved for individuals who are lawfully entitled to receive them." But it is Congress that extended coverage and federal funds for emergency Medicaid to all individuals residing in the United States, regardless of immigration status. The states have and will continue to cooperate with federal oversight activities to ensure that the federal government pays only for those Medicaid services that are legally authorized.

In today's lawsuit, Attorney General Bonta and the coalition highlight that the Trump Administration's illegal actions are creating fear and confusion that will lead noncitizens and their family members to disenroll, or refuse to enroll, in emergency Medicaid for which they are otherwise eligible, leaving states and their safety net hospitals to foot the bill for federally mandated emergency healthcare services. They may not get the emergency health services they need and will suffer negative health consequences — and even death — as a result. The coalition asks that the court find the Trump Administration's actions arbitrary and capricious and rulemaking without proper procedure in violation of the Administrative Procedure Act, contrary to the Social Security

Act, Health Insurance Portability and Accountability Act (HIPAA), Federal Information Security Modernization Act, and Privacy Act, and in violation of the Spending Clause. They ask the court to enjoin HHS from transferring personally identifiable Medicaid data to DHS or any other federal agency and DHS from using this data to conduct immigration enforcement.

Attorney General Bonta leads the attorneys general of Arizona, Colorado, Connecticut, Delaware, Hawaii, Illinois, Massachusetts, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, and Washinton in filing the lawsuit.

A copy of the complaint is available [here](#).

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