

108TH CONGRESS  
1ST SESSION

# H. R. 2848

To provide for Federal custody and Federal payment of costs of emergency ambulance and medical services for aliens illegally attempting to enter the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2003

Mr. FILNER introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for Federal custody and Federal payment of costs of emergency ambulance and medical services for aliens illegally attempting to enter the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay for All Your Un-  
5 documented Procedures (PAY UP!) Act of 2003”.

1 **SEC. 2. PROVIDING FOR FEDERAL CUSTODY AND FEDERAL**  
2 **PAYMENT OF COSTS OF EMERGENCY AMBU-**  
3 **LANCE AND MEDICAL SERVICES FOR ALIENS**  
4 **ILLEGALLY ATTEMPTING TO ENTER THE**  
5 **UNITED STATES.**

6 (a) IN GENERAL.—In the case described in sub-  
7 section (b)—

8 (1) the border patrol officer or other Federal  
9 immigration official who sought or provided assist-  
10 ance to the alien, or such other officer or official as  
11 the Secretary of Homeland Security may designate,  
12 shall provide (to the extent practicable) for securing  
13 custody of the alien before the alien departs from  
14 the medical facility to which the alien is brought for  
15 emergency services; and

16 (2) any such emergency services provided shall  
17 be treated as if such services had been provided to  
18 the alien while under the custody of such an officer  
19 and the provider of the ambulance or other emer-  
20 gency services shall be entitled to receive from the  
21 Secretary of Health and Human Services, from  
22 amounts in the Treasury not otherwise appropriated,  
23 appropriate reimbursement for the costs of such  
24 services, but only to the extent that such costs are  
25 not otherwise reimbursed through any Federal pro-

1       gram and cannot be recovered from the alien or an-  
2       other person.

3 Paragraph (2) of this subsection constitutes budget au-  
4 thority in advance of appropriations Acts and represents  
5 the obligation of the Federal Government to provide for  
6 the payment of amounts provided under such paragraph.

7       (b) CASE OF INJURED ALIEN DESCRIBED.—A case  
8 described in this subsection is the case of an alien injured  
9 while crossing a land or sea border of United States with-  
10 out inspection or at any time or place other than as des-  
11 ignated by the Secretary of Homeland Security, if a border  
12 patrol officer or other Federal immigration official pro-  
13 vides assistance in any form, directly or indirectly, in seek-  
14 ing or obtaining emergency medical assistance, including  
15 contacting an ambulance service for the transport of the  
16 alien to an appropriate medical facility for the receipt of  
17 emergency services.

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