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POLITIFACT

Fact-check: Do migrants have faster access to medical services than veterans?

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Texas land commissioner candidate Tim Westley recently compared health screenings for immigrants to medical appointment wait times for veterans.

Westley, a former teacher who faces state Sen. Dawn Buckingham, R-Lakeway, in the May 24 Republican runoff, tweeted a TikTok clip from a March 30 interview where he made the comparison.

He said, "When we talk about illegal immigration, and we have illegal immigrants that have to be seen within 24 hours, while veterans are seen within months. And here's the catch ... not only are they seen within 24 hours — it's mandatory that they're seen within 24 hours — the funding that they're being seen with falls under the Department of Veterans Affairs."

When asked for his sources, Westley wrote he knows about veterans' wait times from personal experience. Westley said in the interview he served in the U.S. Army and the Texas National Guard.

His campaign sent links and excerpts from a Department of Veterans Affairs FAQ and U.S. Immigration and Customs Enforcement Health Service Corps website page. He also credited a source he declined to name for his claim about immigrants detained by ICE.

The care systems for immigrants in ICE custody and for veterans are run by different federal departments and Westley was relying on two different metrics in making his comparison: he was referring to standards of care for immigrants, which aren't always followed, and access to care for veterans.

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Westley's sources

The border and veterans are two issues that have dominated the campaign for land commissioner. The Texas General Land Office owns land near the border and current commissioner George P. Bush authorized the construction of a border wall on state-owned land. The office also houses the Texas Veterans Land Board, which oversees loans for veterans, land sales, veterans nursing homes, and cemeteries.

However, veterans' health care is a federal service provided by the U.S. Department of Veterans Affairs.

Westley's campaign pointed to an ICE Health Service Corps standard requiring initial health screenings to be administered within 12 hours and health assessments within 14 days.

The agency website indicates this initial health screening means basic health tests, such as a COVID-19 test, taking vital signs, and tuberculosis infection screening. The health assessment includes a physical examination with vision screening and mental health screening questions.

The campaign specifically pointed to a paragraph on the website: "Detainees identified as high-risk during the intake process are triaged to a higher level of care immediately. If at any time a patient verbalizes an issue such as, 'I feel very bad' or 'I don't have the medicine I need' a nurse or mid-level practitioner contacts a higher level medical provider, usually a physician, so that the patient is seen within 24 hours."

There are some additional standards for migrants to be seen by a health professional within a certain period of time, according to the 2019 National Detention Standards for ICE. These pertain to mental illness and disabilities, health assessments for minors, triaging a request for medical services, and mental health referrals for victims of sexual abuse or abusers.

But these are all internal directives set by the agency, not a statute or regulation, said attorney Briana Perez with the Refugee and Immigrant Center for Education and Legal Services, which provides legal services for migrants in detention centers. Perez said these standards are often not followed, and there is little legal recourse for when medical services are not provided.

"What I can say, high level, is that everyday we interact with clients who are suffering in detention and not getting appropriate care," Perez said.

Perez said the group often sees clients with serious, treatable health conditions that can be detected, such as high blood pressure and diabetes, but they are not receiving medical attention and wait for long periods after requesting to see a doctor.

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Perez said her clients often have told her that health professionals are just giving them pain pills for their conditions. Some migrants have been told by health professionals to wait until they are released to get care elsewhere, which can be as much as several months, Perez said.

"The problems are exacerbated for individuals who speak a language other than English or Spanish because of language barriers and lack of access to interpreters to express health concerns," Perez said.

New York-based organization Human Rights Watch in 2017 and 2018 reviewed and reported on cases in which people in ICE custody did not receive adequate medical care and died. In 2020, a whistleblower alleged inadequate medical care and unnecessary gynecological surgeries at Irwin County Detention Center in Georgia. In 2021, the Department of Homeland Security announced it would no longer use that detention center.

Federal government reports in 2020 and 2021 found instances of inadequate medical care, and in one Arizona detention center an understaffed medical unit took an average of over three days to respond to detainee sick call requests.

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Westley compared initial health screenings with veterans' medical appointments

Comparing the health systems for veterans and migrants in ICE detention centers is not an apples-to-apples comparison.

Nationally, veterans referred to care at Veterans Affairs health care locations are seen by a medical professional in approximately 40 days on average in 2021, said Kevin Griffith, professor of health policy at Vanderbilt University Medical Center. They are generally seen faster within the VA system versus referral from a private provider and wait times vary depending on the service and location.

Veterans in Texas wait an average of 38 days for referrals, Griffith said. This is slightly longer than the private sector's average wait time in Texas of 36 days.

"There's certainly variation both geographically and within specialty," Griffith said. "There's certain specialties that are seen faster, or a VA medical center might have a greater capacity. One thing that has come up frequently in our research is that the wait times between the VA and the private sector are well correlated. So, areas that tend to have a longer VA wait time tend to just be medically underserved areas in general."

Wait times for new patients at veterans affairs primary care facilities vary. As of April 6, the wait time for the Corpus Christi VA Clinic was an average of 30 days and the Austin VA Clinic an average of 20 days, according to Veterans Affairs' website. But the average wait time for an optometry appointment for new patients at the Austin VA clinic is 106 days.

Law requires the department to have internal policies for wait times of 20 days for primary care and 28 days for specialty care.

"Unfortunately, these standards are arbitrarily set. Many veterans, actually most, do not get seen within that time period. But it's perhaps because the standard is a bit of a reach, because the private sector isn't even close to meeting those wait times either," Griffith said.

Funding ICE health services

Westley pointed to a paragraph on an ICE document that defined the role of a Veterans Affairs center in ICE detention health services.

The document indicates the VA Financial Services Center provides financial services to federal customers, and the center has an agreement with ICE to provide medical claims processing services that are in turn reimbursed by the Department of Homeland Security.

A Veterans Affairs public affairs representative from the Dallas office wrote that the Financial Services Center provides services for a fee and does not receive annual appropriations from Congress. DHS "pays for" its medical care by providing funding to the Financial Services Center.

Ruling

Texas land commissioner candidate Tim Westley said, "When we talk about illegal immigration, and we have illegal immigrants that have to be seen within 24 hours, while

veterans are seen within months."

In follow-up emails, Westley specified he was referring to health screenings administered by ICE and the triaging system.

Immigrants in ICE custody do not have quick access to medical care, though the agency's goal is to identify potential health issues by administering health screenings within 12 hours and health assessments within two weeks.

Veterans wait an average of just over a month for referrals to medical professionals, though some may wait longer depending on the service they need and geography.

Detention facility health services and veterans' medical services are dissimilar and unrelated, and comparing the two is not an apples-to-apples comparison.

We rated this claim False.

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