



Igor Tregub, Councilmember, District 4

Adena Ishii, Mayor

Mark Humbert, Councilmember, District 8

Cecilia Lunaparra, Councilmember, District 7

CONSENT CALENDAR

July 22, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Igor Tregub (Author), Mayor Ishii (Co-Sponsor), Councilmember Humbert (Co-Sponsor), and Councilmember Lunaparra (Co-Sponsor)

Subject: Resolution in Support of California Senate Bill 81 (Arreguín) Health and Care Facilities: Information Sharing to Amend Sections 56.05 and 56.10 of the Civil Code, and to Add Chapter 1.5 to Division 2 of the Health and Safety Code, Relating to Health and Care Facilities

RECOMMENDATION

Adopt a resolution in support of California State Senate (SB) Bill 81 (Arreguín), Healthcare Provider Entities: Information Sharing amend Sections 56.05 and 56.10 of the Civil Code, and to add Chapter 1.5 (commencing with Section 1249) to Division 2 of the Health and Safety Code, relating to health and care facilities, and declaring the urgency thereof, to take effect immediately; and distribute copies to the California Governor Gavin Newsom, Senator Jesse Arreguín, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage.

SB 81 would mandate healthcare facilities to develop protocols for monitoring and receiving visitors, as well as designating certain areas as nonpublic in order to maintain a secure environment aligned with the facility's mission and commitment to patient care. Additionally, the bill would prohibit immigration enforcement agents from entering nonpublic areas of a facility without a valid judicial warrant or court order. It would also protect patient information by barring the disclosure of a person's current or past immigration status or place of birth for purposes related to immigration enforcement.¹

¹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202520260SB81

CURRENT SITUATION AND ITS EFFECTS

In January of 2025, the City of Berkeley reaffirmed its status as a Sanctuary City, which outlines that “no department, agency, commission, officer or employee of the City of Berkeley shall use any City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information on the status of individuals in the City of Berkeley unless required by federal law.”²

Similarly, the California Values Act (SB 54) ensures that no state and local resources are used to assist federal immigration enforcement and that schools, hospitals, and courthouses are safe spaces for everyone.

SB 54 required the Attorney General to prepare and publish guidance promoting safe and secure healthcare access for all in the state of California. This guidance is to provide the administrators of healthcare provider entities with policies for collecting patient and family health information, while preventing unnecessary collection and maintenance of information on the immigration status of patients and their families.

SB 81 would require health and care facilities to restrict access for immigration enforcement to its nonpublic areas without a valid judicial warrant or court order and prohibit such facilities from disclosing current and previous immigration status or birthplace as part of a patient’s medical information for the purposes of immigration enforcement by amending Sections 56.05 and 56.10 of the Civil Code, and to add Chapter 1.5 (commencing with Section 1249) to Division 2 of the Health and Safety Code, Relating to Health and Care Facilities.

FISCAL IMPACTS OF RECOMMENDATION

Limited staff time associated with communicating the city’s position to the above-referenced recipients.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

CONTACT PERSON

Councilmember Igor Tregub, Council District 4
510-981-7140, ltregub@berkeleyca.gov

Amy Johnson, Legislative Aide, Council District 4
amjohnson@berkeleyca.gov

² <https://berkeleyca.gov/sites/default/files/documents/2025-01-21%20Item%2027%20Reaffirming%20Berkeley%20as%20a%20Sanctuary%20City.pdf>

Attachments:

1. Resolution
2. Fact Sheet

RESOLUTION NO. ##,###N.S.

**RESOLUTION IN SUPPORT OF CALIFORNIA SENATE BILL 81 (ARREGUÍN)
CALIFORNIA FAIR ELECTIONS ACT OF 2026 TO AMEND SECTIONS 85300 AND
85320 OF THE GOVERNMENT CODE, RELATING TO THE POLITICAL REFORM
ACT OF 1974**

WHEREAS, Senate Bill 81 (Arreguín) would require health and care facilities to restrict access for immigration enforcement to its nonpublic areas without a valid judicial warrant or court order and prohibit such facilities from disclosing current and previous immigration status or birthplace as part of a patient's medical information for the purposes of immigration enforcement; and

WHEREAS, Senate Bill 81 is co-sponsored by the Service Employees International Union (SEIU), California Immigrant Policy Center, Latino Coalition for a Healthy California, and California Nurses Association, and supported by a broad coalition of labor unions, immigrant rights organizations, not-for-profit community health centers, civic engagement non-profits, civil rights advocates, healthcare policy advocates, organizations for ethnic equity, and youth health commissions, who recognize it as a critical step in protecting the civil rights of immigrants; and

WHEREAS, current law does not strictly prohibit health and care entities from sharing patient birthplace and immigration status information with immigration enforcement, leaving immigrants and their families vulnerable when accessing care that is essential to life; and

WHEREAS, Senate Bill 81 seeks to explicitly prohibit patient birthplace and immigration status information from being shared by healthcare entities to immigration enforcement and restrict access for immigration enforcement to its nonpublic areas without a valid judicial warrant or court order; and

WHEREAS, immigrants and their families have been targeted by the current federal administration, increasing the immigrants' dire need for support and protection; and

WHEREAS, the passage of Senate Bill 81 would help strengthen California's commitment as a Sanctuary State, ensuring that information regarding immigration status is only shared with due process; and

WHEREAS, the City of Berkeley was the first city in the nation to declare Sanctuary City Status and reaffirmed this commitment in January of 2025; and

NOW, THEREFORE, BE IT RESOLVED, that the Berkeley City Council hereby declares its support for California State Senate Bill 81; and

BE IT FURTHER RESOLVED, that the Berkeley City Council directs the City Manager to distribute copies to the California Governor Gavin Newsom, Senator Jesse Arreguin, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage.



CALIFORNIA STATE SENATOR
Jesse Arreguín
REPRESENTING SENATE DISTRICT 07

SB 81– Healthcare Provider Entities: Information Sharing

SUMMARY

SB 81 would require healthcare facilities to establish procedures for monitoring and receiving visitors and designating nonpublic areas to promote a safe environment conducive to the facility’s mission and patient care. Moreover, this bill would require health facilities to restrict access to its nonpublic areas for immigration enforcement without a valid judicial warrant or court order. Finally, this bill would include current and previous immigration status or place of birth as part of a patient’s medical information that would be prohibited from being disclosed for the purposes of immigration enforcement.

BACKGROUND

The California Values Act (SB 54) ensures that no state and local resources are used to assist federal immigration enforcement and that our schools, hospitals, and courthouses are safe spaces for everyone in the community. SB 54 required the Attorney General to prepare and publish guidance promoting safe and secure healthcare access for all in the state of California. Such guidance is to provide healthcare provider entities administrators with policies for collecting patient and family health information, while preventing unnecessary collection and maintenance of information on the immigration status of patients and their families.

The federal Health Insurance Portability and Accountability Act (HIPAA), including its Privacy Rule and its Security Rule, provides protections for the use and disclosure of information contained in medical records. Under HIPAA, personal health information may not be used or disclosed, except under certain conditions, including for treatment or payment for health care and upon the consent of the patient.

PROBLEM

Health care is a universal right where one should feel safe and comfortable seeking the care they need. Our

communities should do so without fear of deportation, harassment, or intimidation. Moreover, immigration status and place of birth are not expressly listed as protected personal health information.

SOLUTION

This bill would codify existing policy guidance from the Attorney General as part of SB 54. SB 81 would require healthcare facilities to establish procedures for monitoring and receiving visitors, and designate nonpublic areas to promote a safe and inclusive environment for all patients so everyone can get the care they need without fear of intimidation, harassment, and deportation.

CONTACT

Carmen Ayon
Legislative Aide
Carmen.Ayon@sen.ca.gov

SUPPORT

Co-Sponsors:

- Service Employees International Union (SEIU)
- California Immigrant Policy Center
- Latino Coalition for a Healthy California
- California Nurses Association

Support:

- California Primary Care Association
- California Hospital Association
- La Clinica De La Raza, Inc.
- UCLA Latino Policy and Politics Institute
- Venice Family Clinic
- Western Center on Law and Poverty, Inc.
- First 5 Contra Costa
- South Asian Network
- The Children’s Partnership
- The Los Angeles Trust for Children’s Health

Planned Parenthood Affiliates of California
Pre-Health Dreamers
Southeast Asia Resource Action Center
Thai Community Development Center
Inland Coalition for Immigrant Justice
Indivisible CA State Strong
Healthy Contra Costa
Gender Justice LA
Friends Committee on Legislation of California
Farm2People
Ensuring Opportunity Campaign
Disability Rights California
Deaf Hope
CPCA Advocates
Courage California
Community Clinic Association of Los Angeles County
Communities United for Restorative Youth Justice
Coalition for Humane Immigrant Rights
Ceres Community Project
California Pan Ethnic Health Network
Buen Vecino
Asian Americans Advancing Justice-Southern California
American Federation of State, County and Municipal
Employees, AFL-CIO
Alliance San Diego

