

## **FEDERAL HEALTH CARE REFORM IMPLEMENTATION IN NEW YORK STATE**

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**Presented by James F. Schmidt**

My name is James F. Schmidt. For the past 25 years I was the director of *Farmworker Legal Services of New York*. As a state wide law practice, we represented farm workers on issues relating to their employment. For the past 6 years, I have been battling sarcoma cancer that has cost me my leg and left hip. This is my story, but there is a bigger story that impacts the lives of many more consumers living in the great State of New York.

I have spent the better part of 44 years as an advocate for farm workers. In New York, farm workers are excluded from all work- related laws that give protection to other workers. Farm workers are not entitled to a day of rest, overtime pay, disability insurance and other protections that the average worker receives.

Agriculture, from the planting and harvesting of fruits and vegetables to the care of farm animals for meat, cheese, milk and other by products, is a multi-billion dollar operation. Agriculture is the second largest industry in the State. The backbone of the industry is the 80,000 to 100,000 farm workers who plant and harvest all the products you find in our supermarkets. Except for two rather small

but very efficient migrant health care centers, farm workers seldom receive the health services they need. The employers of agricultural workers, have not and do not, provide any health care insurance to cover their workers. You could say that the Federal money to support the migrant health care centers is a direct subsidy to the agricultural employer.

The few and mostly outdated health studies focusing on farm workers portrays an ugly picture of the condition of the workers handling our food. Farm workers have the highest rates of cancer due to the exposure of chemicals, and there is a concern for increased cases of tuberculosis, to birth defects and other diseases we do not see in other populations. The increase in communicable diseases is frightening when you think of the food we eat and the situation of the workers who handle the food.

Under are present system doctors will not see patients unless they have some form of health insurance. Hospitals are the same, no insurance, no care. Do you think a doctor will travel to rural areas with a Spanish translator to see a patient?

Under our present health care system I certainly do not expect that of a doctor and it would only drive the cost of health care even higher. We are allowing for the possibility of an outbreak of sickness, maybe a fatal outbreak because the

people handling our food may be sick. This is not an attack on farm workers who are decent, hard working people but the present health care system does not provide care. Not only are the workers in danger, but so is every community in the State. The only viable system is some form of single payer. The existing Migrant Health Care system must be part of the reform and the Centers could play a vital role in a single payer system. The existing system does not to be reformed it needs to be done away with and a new single payer system developed.

A side note, I met a man who has lost his leg and hip. His insurance coverage will pay 100% for a prosthetic, but the insurance company says it is not medically needed.

Thank you.