

A woman says UofL Health wants to deport her comatose dad. The hospital denies it

Marvin C. has been hospitalized since June 12 after suffering a significant head injury prompted by a seizure. It was a traumatic shock for his daughter, 23-year-old Virginia C., who recalls seeing him fit and healthy the day prior.

Now, Marvin lies unconscious in a hospital bed, dependent on a ventilator. He's missing a piece of skull, Virginia said, because medical staff had to remove a portion in order to drain internal bleeding.

Less than a week after he was first admitted, Virginia said hospital staff asked if she wanted to take her father off life support or continue his treatment by performing a surgery. She chose the latter.





Days later, Virginia said she and her family were informed that, as soon as the surgery was completed and he was considered stabilized, Marvin would be sent on a plane back to his home country of Guatemala — the same country where he hadn't lived in 30 years.

"I just felt devastated," said Virginia, who asked that her and Marvin's last name not be used because of his undocumented status. "I'm his daughter.

"I've known him my whole life. He's sacrificed so much for me and my family."

Virginia has since connected with two nonprofits who she said have helped stave off Marvin's deportation.

However, a UofL Health spokesperson has fiercely denied a deportation would ever take place.

"A transfer of this patient is not imminent," spokesperson David McArthur said in an emailed statement. "We are working to do everything we can to make sure the family has the ability to make the best decision possible."

McArthur added that while the hospital can't comment on a particular patient's care, "to suggest we have threatened to remove a patient from the country is incorrect."

"When a transfer of care is recommended from UofL Hospital, it is not about an ability to pay, but to ensure the patient is receiving the appropriate level of care while also preserving the unique resources of the region's only Level I trauma center," he said.

According to McArthur, repatriating a patient — also known as sending them back to their country of origin — would require permission from their next of kin.

Virginia, however, believes UofL was attempting something advocates call "medical deportation."

Advocacy group [Free Migration Project](#) uses that term to describe a process where hospital systems can arrange a patient's removal from the U.S. based on their undocumented and uninsured status without any hearing or associated legal proceeding attached.

The group's deputy director Adrianna Torres-Garcia said it has seen around a dozen cases across the U.S. in the last three years, though the practice has existed for much longer.

"(Hospital systems) want to empty that bed. They don't want to be stuck with the care of that person and the bills that come with that," Torres-Garcia said. "In their eyes, they're not gonna get as much money as they possibly could with someone who has insurance."

Virginia connected with the Free Migration Project, based in Philadelphia, after frantically researching her options on her own.

"At first, I felt so helpless," she said.

That stress causes family members to "doubly suffer," according to Torres-Garcia, as they worry both about their family member's health as well as whether they will be able to keep that family member in the U.S.

According to Virginia, her father has no lasting connection or close family in Guatemala. He would be alone in Central America without anyone to ensure his long-term care.

As his eldest daughter, Virginia said, "I am my father's support system. I am his voice."

Virginia has also connected with Chloe Atwater, a health justice attorney with the nonprofit [Kentucky Equal Justice Center](#).

Atwater told The Courier Journal she had never heard of a case like Virginia's and has been working with the family on their options.

Atwater said undocumented residents in Kentucky can have access to temporary health coverage for emergency medical crises through

Emergency Time-Limited Medicaid.

Virginia said she applied for the temporary coverage but was initially denied. After receiving help from advocates, she said her father's eligibility has now been approved.

But even that protection has limits.

"Even if he gets the Emergency Time-Limited Medicaid, you know, it might prevent it from happening now, but it might not prevent it forever," Atwater said.

Virginia said a social worker tied to the hospital told her Monday afternoon that her father's deportation process has halted due to the severity of his condition.

But she still harbors fears he will be deported without her knowledge or consent.

In his email, McArthur reiterated a patient transfer is not imminent and "our commitment is to work with families in finding the best solution to provide ongoing care for any patient."

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