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Immigrant residents, doctor sue Idaho to preserve access to life-saving medication for immigrants

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BOISE — On Thursday, June 26, 2025, the American Civil Liberties Union (ACLU) of Idaho, the National Immigration Law Center (NILC), and private law firms Nixon Peabody LLP and Ramirez-Smith Law filed a lawsuit against the state of Idaho to stop enforcement of House Bill 135, which is set to go into effect July 1, 2025.

House Bill 135 was passed during the 2025 legislative session to impose new immigration status verification requirements on programs that are not restricted under federal laws, including access to food pantries and soup kitchens, prenatal and postnatal care, vaccines and life-saving medications to treat communicable diseases such as HIV, among others. Prior to the new law, these benefits were available to Idaho residents without having to verify immigration status.

The lawsuit, *[Davids v. Adams](#)*, is seeking a temporary restraining order (TRO) preventing the state from barring access to federally funded HIV medication for immigrants who cannot verify their lawful presence. The TRO is necessary because the Idaho Department of Health and Welfare, which administers the federal funding, has determined that on and after July 1, 2025, recipients of this funding must meet the lawful presence criteria outlined in the law. Without access to this medication, many immigrant residents will suffer a variety of serious health issues, including, potentially, death.

The plaintiffs in *Dauids v. Adams* are Dr. Abby Davids, a doctor who treats patients living with HIV, and five immigrant Idahoans living with HIV.

The lawsuit argues that House Bill 135 attempts to circumvent federal law, which allows access to certain federally funded benefits programs, including the federal program that provides HIV medication (known as the Ryan White HIV/AIDS Program), without regard to citizenship or immigration status.

"Nobody benefits from barring access to life-saving HIV medication," said **Dr. Abby Davids, practitioner at Full Circle Health**. "Both for individual patients and for the health of our community as a whole, all people living with HIV need to be able to access consistent care and treatment. Infections like HIV do not infect people based on their immigration status, and treatment should not be limited by legal status, either. I am genuinely afraid for my patients who currently take medication for HIV; without it, their lives will be in jeopardy."

"HB 135 is designed to dehumanize our immigrant neighbors by denying them the basic necessities of life — medicine, food, and shelter. It subverts constitutional rights and interferes with federal regulation of immigration," said **Paul Carlos Southwick, ACLU of Idaho Legal Director**. "Along with HB 83, this is the second unconstitutional bill we've sued to stop this year. It is part of the state's campaign to displace immigrant residents, which will separate families and inflict lasting trauma. The state's actions are legally indefensible and morally wrong."

"This inhumane bill unconstitutionally seeks to block full public access to essential health care, including life-saving HIV care and treatment, and threatens the health and wellbeing of Idahoans across the state," said **Joanna Cuevas Ingram, senior staff attorney at the National Immigration Law Center**. "Federal law has expressly exempted the Ryan White HIV AIDS Program, among others, from citizenship and immigration status requirements, ensuring that vulnerable individuals are not denied life-saving care due to their immigration status and to meet nationwide public health goals in reducing HIV transmission. H.B. 135 cannot subvert federal law or the will of Congress. A restraining order and injunction are necessary."

"The message to immigrant and Latine communities is clear: No matter what kind of person you are, no matter how meaningfully you contribute to Idaho, no matter how hard you struggle to support your family, you are not wanted here," said **Ruby Mendez-Mota, ACLU of Idaho Interim Advocacy Director**. "This law isn't about safety or security, it's not about limited resources; it's about making an already

vulnerable part of Idaho's hardworking community feel like they aren't good enough to be treated with dignity. This fight is not over."

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*The **ACLU of Idaho** is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. The ACLU of Idaho strives to advance civil liberties and civil rights through activities that include litigation, education, and lobbying. Learn more at acluidaho.org.*

*Established in 1979, the **National Immigration Law Center (NILC)** is one of the leading organizations in the U.S. exclusively dedicated to defending and advancing the rights of low-income immigrants. At NILC, we believe that all people who live in the U.S. should have the opportunity to achieve our full potential. Over the years, we've been at the forefront of many of the country's most pressing immigration issues, and we play a major leadership role in addressing the real-life impact of policies that affect the ability of all of us to prosper and thrive.*

***Nixon Peabody LLP** is an American Lawyer top-100 law firm in the United States and has 15 offices worldwide. Our firm delivers exceptional service to our clients and our communities by combining high performance, entrepreneurial spirit, deep engagement, and an unwavering commitment to a culture of collaboration and humanity.*

***Ramirez-Smith Law** is a leading immigration law firm dedicated to defending the rights of immigrants, asylum seekers, and underserved communities across the United States. With a proven commitment to justice, the firm advocates for individuals facing systemic barriers within the immigration system and beyond. Headquartered in Nampa, Idaho, Ramirez-Smith Law provides compassionate, high-impact legal representation in removal defense, asylum, family-based immigration, humanitarian relief, employment-based immigration, and federal litigation—including complex litigation challenging unlawful government practices and policies. Our firm is proud to stand at the intersection of legal advocacy and social justice, using the law as a tool to protect human dignity and hold institutions accountable. We believe every client deserves to be heard, and every community deserves to be defended. For more information, visit www.nrsdt.com or contact us at 208-461-1883.*