



# Update to FFM Functionality for Immigrants with Income Under 100% FPL



*Helping certain immigrant consumers under 100% FPL be determined eligible for APTC/CSRs*

*December 2015*

# Agenda

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- Immigration Statuses Eligible for Marketplace Coverage
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# NEW: Updated FFM Functionality

- **What:** More quickly and seamlessly determine whether certain immigrant applicants are eligible for advance payments of the premium tax credit (APTC) and cost-sharing reductions (CSRs)
- **Who/Target population:** Consumers
  - with income under 100% FPL
  - with an immigration status data matching issues(DMI)
    - A data matching issue happens when information a consumer enters in their Marketplace application doesn't match the data the Marketplace checks against in trusted resources, like the Department of Homeland Security.
  - who are otherwise not eligible for Medicaid or the Children's Health Insurance Program (CHIP) based on their income or other factors.
- **How:** Automates an existing, multiple-step, manual process.
- **When:** Updated functionality released in Fall 2015.

# Background

## 1. Immigrant eligibility requirements for Marketplace vs. Medicaid

- Eligibility for Marketplace coverage through a Qualified Health Plan (QHP) = Lawfully present
- Eligibility for Medicaid = Immigrants who are “qualified non-citizens” and have met the five-year waiting period\* are generally eligible for coverage through Medicaid and CHIP if they meet their state’s income and residency rules.
  - Generally, stricter requirement; overall fewer immigration statuses are considered Medicaid-eligible than eligible for Marketplace Coverage
  - In addition, 29 states, DC & the Commonwealth of the Northern Mariana Islands (CNMI) also cover “lawfully present” children and pregnant women, without a 5 year waiting period.
  - All “qualified non-citizens” are also lawfully present
  - *See slides 7-8 for a list of statuses*

*\*Some qualified non-citizens are exempt from this rule*

# Background (cont'd)

## 2. Marketplace Savings (APTC and CSR eligibility)

- Generally: Consumers must have annual household income between 100% and 400% of the Federal Poverty Level (FPL) in order to be eligible for APTC.
- Exception: Immigrants who are lawfully present but have an immigration status that is not eligible for Medicaid based on immigration status may be eligible for APTC and CSRs even if their annual household income is under 100% FPL.

# Background (cont'd)

3. **The Federally-facilitated Marketplace (FFM) must verify that an applicant is not eligible for Medicaid based on their immigration status before awarding APTC/CSRs when the applicant's annual household income is under 100% FPL (and they are otherwise not eligible for Medicaid or CHIP based on income or other factors).**
  - In a majority of cases, the FFM is able to verify a consumer's immigration status electronically when the applicant completes an application (i.e. in real time) through the Department of Homeland Security (DHS) and determine that the consumer is lawfully present and is not eligible for Medicaid based on their immigration status.
  - When immigration status cannot be verified in real time, an immigration status DMI occurs and the FFM asks the consumers to provide proof of their status to help the FFM verify if the consumer is eligible for APTC/CSRs.

# Immigration Statuses Eligible for Marketplace Coverage

## Lawfully Present statuses eligible for enrollment in a QHP through the Marketplace<sup>+</sup>

- Individual with valid nonimmigrant status (includes worker visas (such as H1, H-2A, H-2B), student visas, U-visa, T-visa, and other visas, and citizens of Micronesia, the Marshall Islands, and Palau)
- Aliens whose visa petitions have been approved and who have a pending application for adjustment of status
- Individuals granted employment authorization
- Temporary Protected Status (TPS)
- Paroled into the U.S.
- Deferred Action Status (Exception: Deferred Action for Childhood Arrivals (DACA) under June 2012 DHS policy are not considered lawfully present)
- Deferred Enforced Departure (DED)
- A child who has a pending application for Special Immigrant Juvenile status
- Granted relief under the Convention Against Torture (CAT)
- Lawful Temporary Resident
- Family Unity beneficiaries
- All of the Medicaid eligible statuses listed on the next slide

For more lawfully present immigration statuses, visit: [www.healthcare.gov/immigrants/immigration-status/](http://www.healthcare.gov/immigrants/immigration-status/)

<sup>+</sup>Children and/or Pregnant women with listed statuses may be eligible for Medicaid or CHIP in certain states. For more information, visit: [WWW.medicaid.gov/medicaid-chip-program-information/by-topics/outreach-and-enrollment/lawfully-residing.html](http://WWW.medicaid.gov/medicaid-chip-program-information/by-topics/outreach-and-enrollment/lawfully-residing.html).

# Immigration Statuses Eligible for Marketplace Coverage (cont'd)

Medicaid eligible status (if 5-year bar is met)*	Medicaid eligible status (5-year bar does not apply)**
<ul style="list-style-type: none"> <li>• Lawful Permanent Resident (LPR/Green Card holder)</li> <li>• Paroled into the U.S for 1 year or more</li> <li>• Battered Spouse, Child, or Parent who has a pending or approved petition with DHS</li> <li>• Conditional Entrant (granted before 1980)</li> </ul>	<ul style="list-style-type: none"> <li>• Lawful Permanent Residents who adjusted from a status exempt from the 5-year bar</li> <li>• Refugee</li> <li>• Asylee</li> <li>• Cuban/Haitian Entrants</li> <li>• Granted Withholding of Deportation or Withholding of Removal</li> <li>• Member of a Federally-recognized Indian tribe or American Indian Born in Canada</li> <li>• Trafficking Survivors and their spouses, children, siblings, or parents and individuals with a pending application for a trafficking visa</li> <li>• Iraqi and Afghani Special Immigrants</li> <li>• Veterans or active duty military, and their spouses or unmarried dependents who also have a “qualified non-citizen” status</li> <li>• Certain Amerasian Immigrants</li> </ul>

\* Indicates lawfully present immigration statuses that are considered qualified non-citizen statuses for purposes of Medicaid eligibility

\*\* Indicates lawfully present immigration statuses that are considered qualified non-citizen statuses for purposes of Medicaid eligibility and that are NOT subject to the Medicaid 5-year bar

This chart represents a summary of complex Federal statutes relating to immigration status. As a summary, it does not include all relevant detail. This publication is not a legal document and does not grant rights or impose obligations. It is not intended to take the place of either the written law or regulations.

# Tips for Preventing Immigration/ Citizenship Data Matching Issues

- **Complete the whole application:** While some fields of the application are labeled as optional, we highly recommend that consumers **fill out as many of the fields as possible.**
- **Encourage applicants to select an appropriate immigration document type, and provide all documents numbers and ID numbers, if applicable** (e.g., Alien Number or “A # (sometimes also called the USCIS number) or I-94 number).
  - **Assister Tip:** Reassure consumers that immigration information will **ONLY** be used for the Marketplace and insurance affordability programs and will not be used for immigration enforcement purposes.
  - **Assister Tip:** Remind consumers that if they are not applying for health coverage for themselves, they do not need to provide their citizenship or immigration status.
- **If a consumer’s name used for the Marketplace application differs from how it appears on their immigration document or other documents (such as social security card), advise the applicants to provide their name as written on those documents.**

# Tips for Preventing Immigration/ Citizenship Data Matching Issues (cont'd)

- **Non-applicants are strongly encouraged to provide a Social Security Number (SSN) if they have one**, but it is not required, unless the non-applicant: is the tax filer in an applicant's household, has a spouse or dependent applying for APTC or CSRs, and has filed a federal tax return in the previous year.
  - **Note:** People who apply for health coverage need to provide an SSN if they have one.
- **Double check that the information on the application is complete and that there are no errors or typos.**
  - Consumers should confirm that name, birth date, and SSN, are correct and complete for all applicants.

# Tips for Preventing Immigration/ Citizenship Data Matching Issues (cont'd)

## Popups if SSN or Immigration Information is left blank

Are you sure?

It's important to enter the Social Security Numbers (SSNs) for everyone on your application, if they have them. Entering SSNs makes the application process go smoother and faster by allowing the Marketplace to check your information automatically. If you don't enter SSNs for people who have them, you may need to provide more information later.

Are you sure?

It's important to enter as many fields from your immigration document as possible, even though some fields may be labeled "optional." Entering all of your document information makes the application process go smoother and faster, helps make sure your eligibility results are correct, and may prevent you from needing to come back later and provide more information.

## Orange reminder to re-enter SSN if data matching issue is still present

[Redacted]'s information

We need a Social Security number (SSN) if you want health coverage and have an SSN or can get one. We use SSNs to check income and other information to see who is eligible for help paying for health coverage. If SUSAN GRIFFITH needs help getting an SSN, visit [socialsecurity.gov](http://socialsecurity.gov), or call Social Security at 1-800-772-1213. TTY users should call 1-800-325-0778.

We haven't verified this Social Security number yet. You can re-enter it now to make sure it's accurate. It must match the Social Security card information. Don't copy or paste it.

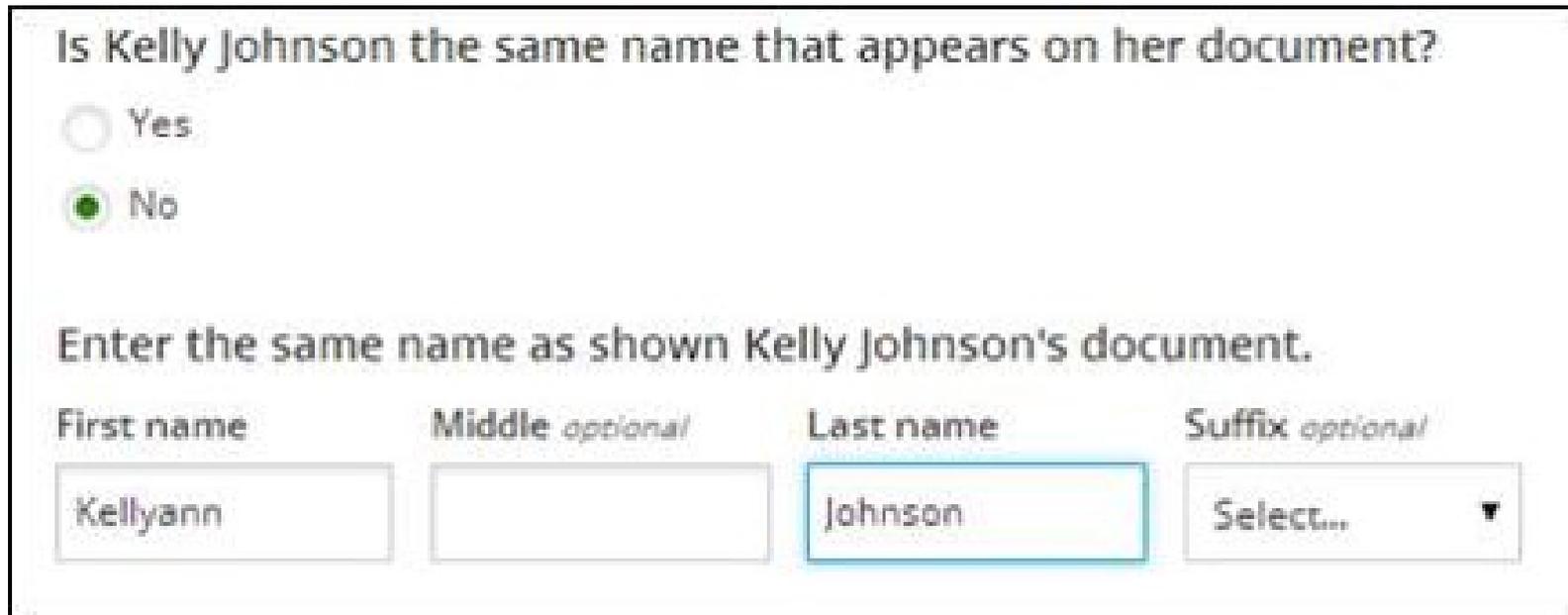
Enter [Redacted] Social Security number

Social Security number *optional*

XXX-XX-XXXX

# Tips for Preventing Immigration/ Citizenship Data Matching Issues (cont'd)

**Tip:** When providing document types, a question will appear asking the consumer if the name he or she provided on the application matches what appears on his or her immigration documents. If the name matches exactly, the consumer should select “Yes,” and if not, he or she should answer “No” and enter his or her name as it appears on his or her documents, as pictured in the screenshot below.



Is Kelly Johnson the same name that appears on her document?

Yes

No

Enter the same name as shown Kelly Johnson's document.

First name	Middle <i>optional</i>	Last name	Suffix <i>optional</i>
<input type="text" value="Kellyann"/>	<input type="text"/>	<input type="text" value="Johnson"/>	<input type="text" value="Select..."/>

# Process Overview of Updated FFM Functionality

1. Marketplace identifies targeted consumers
2. Marketplace notifies consumers of immigration status data matching issue (DMI) and potential eligibility for APTC
3. Consumers should respond by providing documents to verify immigration status and resolve DMI within 95 days
4. Marketplace uses documentation to verify immigration status and notifies consumer of eligibility outcome
5. a) If applicant is lawfully present but not eligible for Medicaid based on immigration status → applicant is eligible for APTC/CSRs and SEP
5. b) If applicant is lawfully present AND eligible for Medicaid based on immigration status → Applicant is eligible for a QHP without APTC/CSRs

# Process Overview (cont'd)

1. **Targeted immigrant consumers are flagged**
  - The system identifies consumers who:
    - have annual household income under 100% FPL,
    - have an immigration status DMI, and
    - are otherwise not eligible for Medicaid based on income or other factors.
  - Impacted consumers will receive an eligibility notice when they apply for Marketplace coverage (see next slide).

# Process Overview (cont'd)

## 2. New language in the eligibility notice encourages consumers to send immigration documents so they can be evaluated for APTC

- Consumers have 95-days to provide documentation, but they do not receive APTC or CSR during that period.

Family member(s)	Results	Next steps
Applicant One	<ul style="list-style-type: none"> <li>• Eligible for an exemption for 2015. Save this notice for your records. If you file a federal income tax return for 2015, you'll need to provide this exemption certificate number (ECN) on your return: GR9UPDN. It's important that you provide this number when you file your tax return so the Internal Revenue Service (IRS) knows you're eligible for the exemption.</li> <li>• Eligible to purchase health coverage through the Marketplace, including catastrophic plans</li> </ul>	<ul style="list-style-type: none"> <li>• Open Enrollment is closed. See the What Should I Do Next? section below for more information</li> </ul>
Applicant One	<ul style="list-style-type: none"> <li>• May be eligible for a premium tax credit, but we need more information from you about your immigration status. This is because some consumers who aren't eligible for Medicaid based on immigration status may be eligible for help paying for coverage if they have annual household income below 100% of the federal poverty level, are considered lawfully present, and meet all other requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Choose a health plan and pay the full amount for the first month. If you send more information, you may get advance payments of the premium tax credit to help lower costs in the future.</li> <li>• If you become eligible for advance payments of the premium tax credit, you may also be eligible for a Special Enrollment Period to enroll or change plans.</li> </ul>

**New!**

# Process Overview (cont'd)

3. **Consumers should respond to the notice by uploading or mailing in documents to the Marketplace to resolve their immigration status DMI.**
  - This allows the Marketplace to verify the applicant's immigration status.
  - Consumers can upload requested documents through their account on HealthCare.gov or mail in copies of documents.
    - **Assister Tip:** Uploading documents is the fastest way to submit your documents to the Marketplace.
  - See the list of acceptable documents for resolving each type of data matching issue here: <https://www.healthcare.gov/help/how-do-i-resolve-an-inconsistency/>
    - **Assister Tip:** Remember there are different documents to submit for immigration status, income, citizenship, and other DMIs.

# Process Overview (cont'd)

- My Account page now highlights if a consumer has a DMI
- An applicant with a DMI will see language in **red** that says “temporary eligibility.”

We've successfully processed your application.

### Step 1: View Your "Coverage Options at a Glance"

This section gives a quick snapshot of your eligibility. It's important to view your full "Eligibility Results" for more detailed information. Continue to Step 2.

Eligible	For <a href="#">Medicaid</a>
	For Marketplace health plans
	For up to \$534 in premium tax credits for your household
Eligible	For lower copayments, coinsurance, and deductibles (cost-sharing reductions) on Silver plans

**Temporary eligibility:** You need to provide more information within the next 3 months to keep your coverage. View your "Eligibility Results" to learn how to submit this information.

### Step 2: View Your "Eligibility Results"

Your "Eligibility Results" contain important information about your Marketplace coverage, including your eligibility for coverage, costs, deadlines, and next steps. If you're eligible for coverage through a Marketplace plan, you'll continue to Step 3 to enroll in coverage after you review your results.

**You're eligible for a Special Enrollment Period.** Select "View Eligibility Results" to find out when you can select a plan or change plans. If you miss the deadline, you may not be able to enroll in a Marketplace plan until the next Open Enrollment, unless you qualify for another Special Enrollment Period.

[VIEW ELIGIBILITY RESULTS \(PDF\)](#)

# Process Overview (cont'd)

## 4. Marketplace verifies immigration status and notifies consumer

- Marketplace verifies whether consumer's immigration status meets Marketplace and/or Medicaid eligibility requirements using immigration documentation.
- Marketplace notifies consumer of final eligibility determination via mail or email based on the consumer's communication preferences.
  - **Assister Tip:** Consumers should be sure that their communication preference they listed is the way they want to be contacted is method of communication they check the most often.

# Process Overview (cont'd)

5. a) **If applicant is lawfully present but not eligible for Medicaid based on immigration status:**
- Applicant is eligible for APTC
  - Applicant is eligible for a Special Enrollment Period (SEP) to enroll in Marketplace coverage or change Marketplace plans if needed outside Open Enrollment Period.
  - SEP is accessible through HealthCare.gov and the Marketplace Call Center at 1-800-318-2596
  - Once granted an SEP, eligible consumers should continue directly to plan compare to enroll in a plan or apply financial assistance to the cost of their current plan; no need to update the application or answer additional application questions
  - SEPs are available 60 days from date on eligibility determination notice that notifies consumer of SEP

# Process Overview (cont'd)

5. b) If applicant is lawfully present AND has an immigration status that meets requirements for Medicaid eligibility
- Applicant is eligible for a QHP through the Marketplace without APTC/CSRs
  - Eligibility remains the same
  - Notice language:

You're getting this notice because you recently submitted one or more documents that we requested in your eligibility notice. We received your immigration documents, and we've verified your information.

Your eligibility as described in your eligibility notice will continue unchanged:

- **You're eligible for coverage through the Marketplace.**
- **You're not eligible for financial assistance through the Marketplace because your household's annual income is too low for this financial assistance and your immigration status does not qualify you for an exception to the income rules for this financial assistance.**
- **You're not eligible for Medicaid or the Children's Health Insurance Program (CHIP).**

# What Assisters Should Know - How to Help

- New functionality affects a narrow population of consumers who meet all of the following conditions:
  - Immigrant consumer with an eligible immigration status,
  - Immigration status DMI,
  - Annual household income below 100% FPL,
  - Not eligible for Medicaid based on income and other factors, and
  - Eligible for Marketplace coverage.
- Consumers impacted by functionality may contact assisters:
  - For help understanding notices
  - For help determining correct documentation to submit to resolve a data matching issue
  - For help enrolling in Marketplace coverage with or without APTC/CSRs
  - For help filing an appeal

# What Stays the Same

- Answering application questions after being denied Medicaid or CHIP eligibility (see right) will still help HealthCare.gov properly determine eligibility for low-income, immigrant applicants, including those with income under 100% FPL who were denied Medicaid or CHIP due to immigration status.
- Consumers with an immigration status DMI will continue to be sent to their Medicaid/CHIP agency if they appear eligible for Medicaid or CHIP coverage based on income or other factors.
  - If these consumers are later denied eligibility for Medicaid or CHIP based on immigration status, they can come back to receive APTC and CSRs by attesting to the “Medicaid block” question.

The screenshot shows the HealthCare.gov application interface. At the top, there are two tabs: "Get Results" and "Get Coverage". Below the tabs, the application ID is 96441045. A progress bar on the left indicates the current step: "4 More about this household". The main content area contains a question: "Were any of these people found not eligible for Medicaid or the Children's Health Insurance Program (CHIP) in the past 90 days? Or, were any of them found not eligible for Medicaid or CHIP due to their immigration status since October 1, 2013?". Below the question, there is a checkbox for "None of these people" which is unchecked. The question is followed by a sub-question: "Check the box only if a person was found not eligible for this coverage by their state, not by the Marketplace." and a link "Learn more about how to answer this question". There are three sub-questions, each with a "Yes" radio button selected and a "No" radio button unselected: "Applicant One", "Applicant Two", and "Minor Child". At the bottom, there is another question: "Did any of these people apply for coverage between November 15, 2014 - February 15, 2015? (Select their name if they applied through their state or the Marketplace.)" with a "None of these people" checkbox unchecked and "Applicant One" selected.

# Other Resources

- HealthCare.gov general instructions on enrolling in Marketplace coverage with APTC/CSRs: <https://www.healthcare.gov/apply-and-enroll/get-ready-to-apply/>
- HealthCare.gov information on health coverage for immigrants: <https://www.healthcare.gov/immigrants/>
- HealthCare.gov information on appeals: <https://www.healthcare.gov/marketplace-appeals/what-you-can-appeal/>
- How to resolve a Data Matching Issue: <https://www.healthcare.gov/help/how-do-i-resolve-an-inconsistency/>
- Tips to Resolve Outstanding Data Matching Issues: <https://marketplace.cms.gov/technical-assistance-resources/resolve-data-match-issues.pdf>
- Serving Special Populations: Immigration Fast Facts for Assisters: <https://marketplace.cms.gov/technical-assistance-resources/immigration-fast-facts.pdf>