



## The Health Insurance Marketplace

### Information for Immigrant Families October 2014



The Patient Protection and Affordable Care Act of 2010, and the Health Care and Education Reconciliation Act of 2010, are referred to collectively as the “Affordable Care Act.” This session focuses on the Health Insurance Marketplace (sometimes called “Marketplace” or “Exchange”) and other provisions of the health care law as they relate to people who have immigrated to the United States.

This training module was developed and approved by the Centers for Medicare & Medicaid Services (CMS), the federal agency that administers Medicare, Medicaid, the Children’s Health Insurance Program, and the Federally-facilitated Health Insurance Marketplace.

The information in this module was correct as of May 2014.

To check for updates on the health care law, visit [HHS.gov/healthcare](http://HHS.gov/healthcare).

This CMS National Training Program product isn’t a legal document. Official legal guidance is contained in the relevant statutes, regulations, and rulings.

## The Health Insurance Marketplace

- Part of the Affordable Care Act
- Where qualified individuals and families directly compare private health insurance options
  - Known as qualified health plans (QHPs)
  - Can directly compare on the basis of price, benefits, quality, and other factors
- Small Business Health Options Program
  - Marketplace for small employers
  - Provides coverage for their employees

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The Health Insurance Marketplace is designed to help you find and buy health insurance that fits your needs and budget.

Health insurance plans in the Marketplace offer comprehensive coverage, from doctors to medications to hospital visits, or provide only dental benefits. Marketplace plans are called qualified health plans (QHPs). You can compare all your insurance options based on price, benefits, quality, and other features that may be important to you, in plain language that makes sense.

The Marketplace is sometimes referred to as Exchanges. You'll know you're getting a quality health plan at a reasonable price, because the coverage and benefits information and premium rates are readily available.

There is a Marketplace for small employers too. It's called the Small Business Health Options Program, or SHOP. This session focuses on the Individual Marketplace.

## Eligibility and Enrollment in the Individual Market

- To be eligible for Marketplace coverage, you must
  - Live in its state, or service area, and
  - Be a U.S. citizen or national, or
  - Be a non-citizen who is lawfully present in the U.S.
  - Not be incarcerated
    - Can apply for Marketplace coverage if pending disposition of charges
- Can apply for Medicaid/CHIP at any time

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To be eligible for Marketplace coverage, you must:

- Live in the state served by the Marketplace, or if different, the service area of the Marketplace.
- Be a citizen or national of the United States, or a non-citizen who is lawfully present in the United States, and is reasonably expected to be a citizen, national, or a non-citizen who is lawfully present.
- Not be incarcerated, other than incarceration pending the disposition of charges. It's important to note that if someone is incarcerated, they can still apply for Medicaid or the Children's Health Insurance Program (CHIP) at any time.

Eligibility status is determined through electronic data checks with the IRS, SSA, the Department of Homeland Security, and other electronic data sources approved for eligibility verification.

If you meet the eligibility requirements you're considered a "qualified individual." If you don't meet the citizenship, status as a national, or lawful presence requirement you can't be a qualified individual. There's no waiting period, such as in Medicaid, that provides eligibility after you have lived in the U.S. for a set period of time.

If you have a student visa you may be eligible for coverage through the Marketplace, but not for Medicaid or CHIP.

**NOTE:** The Affordable Care Act treats U.S. citizens living abroad as having minimum essential coverage, so they won't have to pay the fee.

## Eligible Immigrants - “Lawfully Present”

- The term “lawfully present” includes immigrants who have
  - Qualified non-citizen status
  - Humanitarian status or circumstances
  - Valid non-immigrant visas
  - Legal status conferred by other laws

Statutes that qualify as “lawfully present” are specified in 45 C.F.R. § 152.2

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To buy private health insurance through the Marketplace, you must be a U.S. citizen or be lawfully present in the United States. The term “lawfully present” includes immigrants who have the following status:

- “Qualified non-citizen” immigration status without a waiting period
- Humanitarian statuses or circumstances (including Temporary Protected Status, Special Juvenile Status, asylum applicants, Convention Against Torture, victims of trafficking)
- Valid non-immigrant visas
- Legal status conferred by other laws (temporary resident status, Legal Immigration Family Equity (LIFE) Act, Family Unity individuals)

## Eligible Immigration Status

- Lawful permanent resident (LPR/Green Card holder)
- Asylee
- Refugee
- Cuban/Haitian entrant
- Paroled into the U.S.
- Conditional entrant granted before 1980
- Battered spouse, child, or parent

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The following is a list of immigration statuses that qualify for Marketplace coverage.

**Lawful Permanent Resident (LPR/Green Card holder):** Lawful permanent residents have permission to live and work permanently in the United States.

**Asylee:** People already in the U.S. who fear persecution in their home country and satisfy the requirements for refugee status may apply for asylum in the U.S. With some exceptions, to qualify for asylum, individuals must apply within one year of their last entry to the U.S.

**Refugees:** Are noncitizens who, while outside the U.S. and their home country, were granted permission to enter and reside in the U.S. because they have a well-founded fear of persecution in their home country.

**Cuban/Haitian Entrant:** For healthcare eligibility purposes, this category includes nationals of Cuba or Haiti who (1) were paroled into the U.S., regardless of whether the parole document states “Cuban/Haitian entrant;” or (2) have a pending exclusion or deportation case, or applied for asylum, provided that they are not subject to a final order of deportation or exclusion.

**Paroled into the U.S.:** Individuals paroled into the U.S. are permitted to enter the country for humanitarian or public interest reasons.

**Conditional Entrant Granted before 1980:** Before “refugee” status was established in U.S. law by the Refugee Act of 1980, nationals of communist countries or of certain countries in the Middle East were admitted as “conditional entrants,” a status similar to refugee status.

**Battered Spouse, Child and Parent:** As a battered spouse, child or parent, you may file an immigrant visa petition under the Immigration and Nationality Act, as amended by the Violence Against Women Act.

Source: [www.uscis.gov/humanitarian](http://www.uscis.gov/humanitarian)

## Eligible Immigration Status (Cont. page 2)

- Victim of trafficking and his or her spouse, child, sibling, or parent
- Granted Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention Against Torture
- Individual with non-immigrant status (including worker visas, student visas, and citizens of Micronesia, the Marshall Islands, and Palau)
- Deferred Enforced Departure

Deferred Action Status (Deferred Action for Childhood Arrivals (DACA) isn't an eligible immigration status for applying for health coverage

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**Victim of Trafficking and his/her spouse, child, sibling or parent:** In October 2000, Congress created the “T” nonimmigrant status by passing the Victims of Trafficking and Violence Protection Act (VTVPA). Another status granted to victims of human trafficking is U nonimmigrant status (U visa).

**Granted Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention Against Torture (CAT):** Persons who have substantial grounds for believing that, if they were returned to their home country, they would be in danger of being subjected to torture, may apply for withholding under the CAT.

**Individual with Non-immigrant status:** (includes worker visas, student visas, and citizens of Micronesia, the Marshall Islands, and Palau): Nonimmigrant visa holders as well as individuals who are permitted to live and work in the U.S. indefinitely.

**Deferred Enforced Departure (DED):** DED allows qualified individuals to remain in the U.S. for limited periods of time according to a Presidential directive. DED is not an immigration status. During the period ordered by the President, qualified individuals under DED generally may also apply for work authorization.

**Deferred Action Status:** Immigration officials may exercise prosecutorial discretion in favor of a noncitizen who otherwise would be subject to deportation or removal proceedings. This relief most commonly has been used by the United States Citizenship and Immigration Services (USCIS) to grant employment authorization to individuals who have petitioned for Lawful Permanent Resident status as abused spouses or children under the Violence Against Women Act and for people with urgent medical needs.

**NOTE: Deferred Action for Childhood Arrivals (DACA).** DACA recently became available to immigrant youth who came to the U.S. as children, have lived in the country for at least five years, and meet certain other criteria. **This group is *not* considered “lawfully present,” for purposes of eligibility for public programs, including eligibility for the health insurance Marketplace and the premium tax credits.**

Source: [www.uscis.gov/humanitarian](http://www.uscis.gov/humanitarian)

## Eligible Immigration Status (Cont. page 3)

- Lawful temporary resident
- Granted an administrative stay of removal by the Department of Homeland Security (DHS)
- Member of a federally-recognized Indian tribe or an American Indian born in Canada
- Resident of American Samoa
  - Seeking Marketplace coverage while residing within the 50 contiguous states

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**Lawful temporary residents:** Are “lawfully present.” Applicants for legalization who are granted work authorization are also “lawfully present.”

**Granted an administrative stay of removal by the Department of Homeland Security (DHS)**

**Member of a federally-recognized Indian tribe or an American Indian born in Canada**

**Resident of American Samoa** seeking Marketplace coverage while residing within the 50 contiguous states

## Eligible Immigration Status (Cont. page 4)

- Applicants for
  - Special Immigrant Juvenile Status
  - Adjustment to Lawful Permanent Resident Status
  - Victim of trafficking visa
  - Temporary Protected Status\*
  - Asylum\*
  - Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention against Torture (CAT)\*

\*Only those who have been granted employment authorization or are under 14 and have had an application pending for at least 180 days are eligible.

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Applicant for any of these statuses:

**Special Immigrant Juvenile Status:** Children who are declared dependent on the juvenile court and who are eligible for long-term foster care may apply for adjustment of status when a court or agency determines that return to their country of origin is not in their best interest.

**Adjustment to Lawful Permanent Resident (LPR) Status:** Individuals whose relatives or employers have petitioned to immigrate them (or, in some cases, who are petitioning for themselves) may be able to adjust to LPR status in the U.S.

**Victim of Trafficking Visa:** To be certified for federal benefits, an individual must have submitted a bona fide application for a T visa or have been granted “continued presence” to effectuate the prosecution of traffickers in persons.

**Temporary Protected Status\*:** Temporary protected status is granted to individuals physically present in the U.S. who are from countries designated by the Secretary of the U.S. Department of Homeland Security as unsafe to accept their return.

**Asylum\***

**Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention against Torture (CAT)\***

\*Only those who have been granted employment authorization or are under 14 and have had an application pending for at least 180 days are eligible

## Eligible Immigration Status (Cont.page 5)

- Certain individuals with employment authorization documents
  - Registry applicants
  - Order of supervision
  - Applicant for Cancellation of Removal or Suspension of Deportation
  - Applicant for Legalization under the Immigration Reform and Immigrant Control Act of 1986
  - Legalization under the Legal Immigration Family Equity Act

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### **Individual with Employment Authorization documents such as:**

**Registry Applicants:** Individuals who have resided continuously in the U.S. since January 1, 1972, and who meet the requirements of Lawful Permanent Resident (LPR) status may adjust their status by applying for “registry.”

**Order of Supervision:** Individuals with final orders of deportation or removal whom the immigration authorities are unable to remove may be released under an order of supervision. Individuals under an order of supervision are eligible for employment authorization.

**Applicant for Cancellation of Removal or Suspension of Deportation:** Individuals who establish that they have been continuously present in the U.S. for certain amount of years (at least ten for removal and 7 for suspension), that they have good moral character, and that their removal would cause “exceptional and extremely unusual hardship” to a U.S. citizen or LPR parent, spouse, or child.

**Applicant for Legalization under the Immigration Reform and Immigrant Control Act of 1986 (IRCA):** Under IRCA, two categories of noncitizens were allowed to legalize their status: (1) “General amnesty” or legalization immigrants, who had resided unlawfully in the U.S. since prior to January 1, 1982, and (2) “special agricultural workers” or “section 210” immigrants, who had performed agricultural work for a specified period prior to IRCA’s enactment.

**Legalization under the Legal Immigration Family Equity (LIFE) Act:** To adjust under LIFE, individuals must show, among other things, that they were continuously physically present in the U.S. during the period between November 6, 1986, and May 4, 1988, and that they applied for class membership before October 1, 2000. Applicants for adjustment under LIFE who have been granted employment authorization are “lawfully present.” Source:

[uscis.gov/sites/default/files/files/pressrelease/AdiofStatusLIFEAct\\_060602.pdf](http://uscis.gov/sites/default/files/files/pressrelease/AdiofStatusLIFEAct_060602.pdf)

## Immigration Status and Document Types

If You Have	List These For The Document ID
Permanent Resident Card, "Green Card" (I-551)	<ul style="list-style-type: none"> <li>✓ Alien registration number</li> <li>✓ Card number</li> </ul>
Reentry Permit (I-327)	<ul style="list-style-type: none"> <li>✓ Alien registration number</li> </ul>
Refugee Travel Document (I-571)	<ul style="list-style-type: none"> <li>✓ Alien registration number</li> </ul>
Employment Authorization Card (I-766)	<ul style="list-style-type: none"> <li>✓ Alien registration number</li> <li>✓ Card number</li> <li>✓ Expiration date</li> <li>✓ Category code</li> </ul>
Machine Readable Immigrant Visa (with temporary I-551 language)	<ul style="list-style-type: none"> <li>✓ Alien registration number</li> <li>✓ Passport number</li> </ul>

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If you're an eligible non-citizen applying for health coverage, list your immigration document. See the list on the slide for some common document types. If a consumer attests to having an eligible immigration status on the application, they'll be asked to provide information about their most current immigration document that supports their status. On the application, there's a drop down field where they can select their document.

After a document is selected, a number of fields will appear requesting certain document numbers that can be found on the immigration document. The specific document numbers that are requested of applicants will depend on the type of document that the applicant has selected. Go to [HealthCare.gov/immigration-status-and-the-marketplace/](http://HealthCare.gov/immigration-status-and-the-marketplace/) for a description of each of the immigration documents, an outline of which document numbers will be requested for each document type, and guidelines for entering the document numbers. If consumers have difficulty locating the document numbers requested, they can also call the Marketplace Call Center at 1-800-318-2596 (TTY 1-855-889-4325) for assistance.

The Marketplace uses the document type and associated document numbers to verify an individual's status with the Department of Homeland Security (DHS). CMS highly recommends that applicants locate and input all document numbers, if possible, so that we can verify immigration status in real-time. Doing this will increase the likelihood of a successful application submission.

Since some consumers may encounter difficulty entering the document numbers into the application – due to problems finding the required document numbers or errors when trying to submit an application -- these fields are optional, and not required, on the application. Therefore, if a consumer has problems entering their document numbers on the application, they should be able to attest to having an eligible immigration status and continue to complete and submit the application without inputting all of the immigration status information. Consumers who choose to omit their document information will be asked to provide a copy of their documentation to the Marketplace once they have completed the application. The Marketplace will then manually verify the immigration documentation. When using a paper application, list all available documents and numbers.

## Immigration Status and Document Types (Continued)

IF YOU HAVE	LIST THESE FOR THE DOCUMENT ID
Temporary I-551 Stamp (on passport or 1-94/1-94A)	✓ Alien registration number
Arrival/Departure Record (I-94/I-94A)	✓ I-94 number
Arrival/Departure Record in foreign passport (I-94)	✓ I-94 number ✓ Passport number ✓ Expiration date ✓ Country of issuance
Foreign passport	✓ Passport number ✓ Expiration date ✓ Country of issuance

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In addition to the guide on HealthCare.gov, there are **helpful guides** located on the USCIS.gov website that include color visuals of immigration document examples with the document numbers circled in go to [uscis.gov/sites/default/files/files/nativedocuments/M-618.pdf](https://uscis.gov/sites/default/files/files/nativedocuments/M-618.pdf) for information on its layout, where to find the document numbers, and how many digits the numbers should have – especially helpful. We’re also working to update HealthCare.gov with visuals and helpful information in the future.

If, after multiple attempts, the consumer is still encountering difficulty entering document numbers into the application or submitting the application, **the consumer has the option to omit the numbers and try again to continue through the application to submission.** To successfully submit and receive a determination, the consumer should be sure to attest to having an eligible immigration status when asked within the application process. The eligibility notice should then provide instructions to the consumer to provide documentation in support of their attestation to the exchange for manual verification. The consumer should then upload supplemental documentation supporting their status through My Account or mail copies to the Marketplace at the following address:

Health Insurance Marketplace  
 Department of Health and Human Services  
 465 Industrial Blvd.  
 London, KY 40750-0001

If you’re not sure, or you have an eligible status but no document, call the Marketplace Call Center at 1-800-319-2596 for help. TTY users should call (1-855-889-4325).

## Immigration Status and Document Types (Cont.)

If You Have	List These For The Document Id
Arrival/Departure Record in foreign passport (I-94)	<ul style="list-style-type: none"> <li>✓ I-94 number</li> <li>✓ Passport number</li> <li>✓ Expiration date</li> <li>✓ Country of issuance</li> </ul>
Certificate of Eligibility for Nonimmigrant Student Status (I-20)	<ul style="list-style-type: none"> <li>✓ Student and Exchange Visitor Information System (SEVIS) ID</li> </ul>
Certificate of Eligibility for Exchange Visitor Status (DS2019)	<ul style="list-style-type: none"> <li>✓ SEVIS ID</li> </ul>
Notice of Action (I-797)	<ul style="list-style-type: none"> <li>✓ Alien registration number <b>or</b> an I-94 number</li> </ul>
Other	<ul style="list-style-type: none"> <li>✓ Alien registration number or an I-94 number</li> <li>✓ Description of the type or name of the document</li> </ul>

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If possible, we recommend that the consumer upload supplemental documentation through My Account, as a faster process for verification of immigration status, rather than mailing them.

When you fill out your application for Marketplace coverage, you enter certain information about yourself and, in many cases, your family, like your state of residence, your citizenship or immigration status and, if you are applying for help paying for coverage, your income. The Marketplace will attempt to match the information you provide with information contained in data sources we use for eligibility verification. If any of the information you provide does not match information contained in data sources we use for eligibility verification, we call this an application inconsistency. Send any additional documentation requested within 90 days. If the requested documents are not received within 90 days, and you have not demonstrated that a good faith effort has been made to obtain the required documentation during the period, the Marketplace will make the eligibility determination based on the information available to the Marketplace.

If the document you have isn't listed, you can still write its name. If you're not sure, if you have an eligible status but no document, or if you have other questions, call the Marketplace Call Center at 1-800-318-2596 for help. TTY users should call 1-855-889-4325.

A Call Center Representative (CCR) will ask for information like your name and date of birth to start a review of your status. You'll get an update when the review is complete. Even if you submitted your documents more than 90 days ago and are waiting for issues to be resolved, you can still finish your application and enroll in coverage.

## Additional Documents to Prove Eligibility

- Document indicating membership of a federally recognized American Indian tribe for American Indians born in Canada
  - This is considered an eligible immigration status for Medicaid, but not for a Marketplace Qualified Health Plan
- Office of Refugee Resettlement Eligibility letter (if under 18)
- Document indicating withholding of removal

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In addition to the list of documents outlined on the previous three slides, individuals can also use the following to prove eligibility:

- Document indicating they are a member of a federally recognized Indian tribe or an American Indian born in Canada. Note that this is considered an eligible immigration status for Medicaid, but not for a Qualified Health Plan in the Marketplace
- Office of Refugee Resettlement eligibility letter (if under 18)
- Document indicating withholding of removal

## Additional Documents to Prove Eligibility (Continued)

- Administrative order staying removal issued by the Department of Homeland Security (DHS)
- Certification from U.S. Department of Health and Human Services, Office of Refugee Resettlement
- Document showing you're a resident of, or live in, American Samoa

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Continued from slide 14.

- Administrative order staying removal issued by the Department of Homeland Security
- Certification from U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement
- Document showing you're a resident of, or live in, American Samoa. Residents of American Samoa living in one of the 50 states with a Marketplace would need to have a document showing he/she is a resident of, or live in, American Samoa.

The following links on HealthCare.gov should be helpful if there are questions about documentation:

- For information on Eligible immigration status types go to [healthcare.gov/help/immigration-status-questions/](http://healthcare.gov/help/immigration-status-questions/) and [HealthCare.gov/what-do-immigrant-families-need-to-know/](http://HealthCare.gov/what-do-immigrant-families-need-to-know/).
- For Information for Naturalized or Derived Citizens [healthcare.gov/help/citizenship-and-immigration-status-questions/](http://healthcare.gov/help/citizenship-and-immigration-status-questions/).
- For information on Immigration Documentation and how to correctly put it into the application go to [healthcare.gov/help/immigration-document-types/](http://healthcare.gov/help/immigration-document-types/).

## When You Can Enroll in the Individual Market

- Next annual open enrollment period
  - November 15, 2014 – February 15, 2015
- Special enrollment periods available in certain circumstances during the year
  - Such as gaining lawful presence

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The Marketplace may only permit a qualified individual to enroll in a qualified health plan (QHP) or an enrollee to change QHPs during prescribed enrollment periods—Annual Open Enrollment Period and Special Enrollment Periods. The Annual Open Enrollment Period (for 2015 coverage it runs from November 15, 2014 – February 15, 2015), or a Special Enrollment Period for which the qualified individual has been determined eligible (such as a qualified individual or dependent loses minimum essential coverage; gains a dependent or becomes a dependent through marriage, birth, adoption or placement for adoption; or an individual, who wasn't previously a citizen, national, or lawfully present individual gains such status).

The Marketplace may automatically enroll qualified individuals, at such time and in such manner as the Department of Health and Human Services may specify, and subject to the Marketplace demonstrating to HHS that it has good cause to perform such automatic enrollments.

**NOTE:** You can apply for Medicaid and the Children's Health Insurance Program at any time.

## Marketplace Affordability

- Financial help is available for eligible families and individuals, including
  - Tax credits that may be used to lower monthly premiums
    - Refundable premium tax credits
    - Advance payment of premium tax credits
  - Reduced cost sharing to lower out-of-pocket spending for health care costs

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In the Marketplace you may be eligible to receive premium tax credits that can lower your monthly premiums, or cost-sharing reductions that can lower your out-of-pocket costs. You'll see the amount of tax credit you're eligible for when you fill out your Marketplace application. Monthly premium prices shown for insurance plans reflect the tax credit, if you qualify.

Coverage may be more affordable for eligible lower and middle income consumers who aren't eligible for certain other coverage programs (like Medicaid or CHIP), as a result of the new tax credits (refundable premium tax credits and advance payment of premium tax credits) and reduced cost sharing. This financial assistance helps eligible low and middle income consumers who aren't eligible for certain other coverage programs buy insurance.

## Lower Premium Costs

- The premium tax credit may be taken as advance payments to lower monthly premium costs, or as a refundable credit on the tax return you file
- Eligibility is based on
  - Household income and family size
    - Household income between 100% to 400% FPL (\$23,850 – \$95,400 for a family of four in 2014 (higher in AK and HI))
  - Obtaining health insurance through the Marketplace
  - Ineligibility for certain government-sponsored coverage, affordable employer-sponsored insurance, or certain other minimum essential coverage

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When you use the Marketplace you may be able to receive advance premium tax credits that may be used to lower your monthly premiums, and cost-sharing reductions that lower your out-of-pocket costs. The premium tax credit is generally available to individuals and families with household incomes between 100 percent and 400 percent of the Federal poverty level (\$23,850 – \$95,400 for a family of four in 2014 which will be used to determine eligibility for 2015 coverage (higher in Alaska and Hawaii)) who don't have access to certain other types of minimum essential coverage.

Remember, minimum essential coverage includes certain government-sponsored coverage (like Medicare, Medicaid, CHIP, some VA coverage, and TRICARE), affordable employer-sponsored insurance (meaning the cost for the employed individual is no more than 9.5 percent of their income as it applies to the lowest cost self-only policy), and certain other coverage.

The advance payments of the premium tax credit available through the Marketplace can be used to reduce the cost of monthly premiums for yourself and for any tax dependents. You can choose to receive a portion of the credit each month as an advance payment of the premium tax credit – with reconciliation at the end of the year – or to receive the tax credit on your federal tax return filed for the coverage year. Advance payments are paid directly to QHP issuers on a monthly basis.

Individuals eligible for a premium tax credit who do not receive an advance payment of the premium tax credit may claim the credit on their income tax return filed for the coverage year. Individuals who are married at the end of the coverage year are required to file a joint return to receive a premium tax credit.

A tax filer on whose behalf advance payments are made is required to file a tax return for the coverage year to reconcile any advance payments of the premium tax credit with the premium tax credit allowed on the return.

## Eligible Immigrants and Lower Costs

- Lawfully present immigrants with a household income below 100 percent of the federal poverty level and not otherwise eligible for Medicaid or CHIP **“based on immigration status”**
  - May be eligible for tax credits and lower out-of-pocket costs if they meet all other eligibility requirements

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If you're a lawfully present immigrant, you may be able to buy private health insurance through the Marketplace. You may be eligible for lower costs on monthly premiums and lower out-of-pocket costs based on your household income and family size.

**If your annual income is 400 percent of the federal poverty level (FPL) or below:** Lawfully present immigrants with estimated 2014 household incomes up to 400 percent of the FPL (about \$46,680 for an individual or \$95,400 for a family of 4) may be eligible for tax credits that can be used immediately to reduce monthly premiums for insurance bought in the Marketplace.

**If your annual household income is below 100 percent federal poverty level:** Lawfully present immigrants with estimated 2014 household income under 100 percent of the FPL (about \$11,670 for an individual or \$23,850 for a family of 4), who are not otherwise eligible for Medicaid, based on their immigration status will be eligible for tax credits and lower out-of-pocket costs for private insurance through the Marketplace if they meet all other eligibility requirements.

## Medicaid Eligibility in 2014

- The Affordable Care Act offers the opportunity for states to expand Medicaid
  - Adults 19 – 64 with incomes up to 133% FPL
    - \$15,521 per year for individual in 2014
    - \$31,720 per year for family of 4 in 2014
- Medicaid coverage is available for children in families with household incomes up to 133% FPL who meet other eligibility requirements
- A simplified way of calculating income to determine Medicaid/CHIP eligibility
  - Known as Modified Adjusted Gross Income (MAGI)-based method

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The Affordable Care Act provides states with additional federal funding to expand their Medicaid programs to cover adults under 65 who make up to 133 percent of the federal poverty level (FPL).

If your state is expanding Medicaid, you'll probably qualify if you make up to about \$15,521 for an individual and \$32,220 for a family of 4 plus a 5 percent income disregard for a family of 4 in 2014.

Children in families with household incomes up to 133 percent of the FPL (plus a 5 percent income disregard) are eligible for Medicaid. Those states that previously covered these children through the CHIP program continue to receive the enhanced CHIP matching rate.

## Immigrant Access to Medicaid and the Children's Health Insurance Program (CHIP)

- Immigrants who are “qualified non-citizens” are generally eligible for Medicaid and CHIP
  - If they meet their state’s eligibility rules, including residency and income
- Many individuals also have a 5-year waiting period (some exceptions – i.e. refugees and asylees)
  - States have the option to cover lawfully residing children and/or pregnant women within their first 5 years of having a certain legal status

Applying for Medicaid or CHIP, or getting help with health insurance costs in the Marketplace won't affect someone's chances of becoming a Lawful Permanent Resident or U.S. citizen

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Immigrants who are “qualified non-citizens” are generally eligible for Medicaid and Children’s Health Insurance Program (CHIP) coverage, if they are otherwise eligible for Medicaid and CHIP in the state (in other words, if they meet their state’s residency and income eligibility rules). To get Medicaid and CHIP coverage, under current law most Lawful Permanent Residents or green card holders have a 5-year waiting period. This means they must wait 5 years after receiving “qualified” immigration status before being eligible for Medicaid and CHIP.

Medicaid coverage for individuals subject to the 5-year waiting period and for those who do not meet the definition of qualified non-citizens is limited to treatment of an emergency medical condition as described in section 1903(v)(2)(A) of the Act.

States may remove the 5-year waiting period and cover lawfully residing children and/or pregnant women who are otherwise eligible for Medicaid program . A child or pregnant woman is “lawfully residing” if lawfully present and otherwise eligible for Medicaid or CHIP in the state (including being a state resident). States may elect to cover these groups under Medicaid only or under both Medicaid and CHIP. The law does not permit States to cover these new groups only in CHIP, without also extending the option to Medicaid. This option to provide Medicaid and CHIP coverage to lawfully residing children and/or pregnant women without a 5-year waiting period is already in effect in 29 states, plus the District of Columbia and the Commonwealth of the Northern Mariana Islands. Twenty of these states have chosen to cover lawfully residing children or pregnant women in CHIP (check here for status - [insurekidsnow.gov/professionals/eligibility/lawfully\\_residing.htm](http://insurekidsnow.gov/professionals/eligibility/lawfully_residing.htm)).

The Health Insurance Marketplace can verify immigration status for all of the groups mentioned above, except certain victims of human trafficking. The Office of Refugee Resettlement (ORR) in HHS issues certain victims of human trafficking certification or eligibility letters to confirm their eligibility for public benefits.

Applying for Medicaid or CHIP, or getting help with health insurance costs in the Marketplace won't affect someone's chances of becoming a Lawful Permanent Resident or U.S. citizen. The one exception is for people receiving long-term care in an institution at government expense. These people may face barriers getting a green card.

## Immigrant Access to Medicaid and CHIP (Qualified non-citizens)

- The term “qualified non-citizen” includes
  - Lawful Permanent Residents (LPR/Green Card Holder)
  - Asylees
  - Refugees
  - Cuban/Haitian entrants
  - Paroled into the U.S. for at least one year
  - Conditional entrant granted before 1980
  - Battered non-citizens, spouses, children, or parents
  - Victims of trafficking and his or her spouse, child, sibling, or parent or individuals with a pending application for a victim of trafficking visa
  - Granted withholding of deportation
  - Membership of a federally recognized Indian tribe for American Indians born in Canada
- Qualified non-citizens must also meet the residency and income requirements within a state to meet the eligibility requirements for Medicaid

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The term “qualified non-citizen” includes the following:

- Lawful Permanent Residents (LPR/Green Card Holder)
- Asylees
- Refugees
- Cuban/Haitian entrants
- Paroled into the U.S. for at least 1 year
- Conditional entrant granted before 1980
- Battered non-citizens, spouses, children, or parents,
- Victims of trafficking and his or her spouse, child, sibling, or parent or individuals with a pending application for a victim of trafficking visa
- Granted withholding of deportation
- Membership of a federally recognized Indian tribe for American Indians born in Canada

Qualified non-citizens must also meet the residency and income requirements within a state to meet the eligibility requirements for Medicaid, in addition to immigration and income requirements to qualify. State residency requirements vary by state.

## Immigrant Access to Medicaid and CHIP (Exceptions to the 5-year Waiting Period)

- Refugees meet the immigration status eligibility
  - For immediate access to Medicaid, the Children’s Health Insurance Program (CHIP) and the Marketplace
- Six other groups eligible for the same benefits and services available to refugees
  - Asylees
  - Cuban and Haitian Entrants
  - Amerasians
  - Special Immigrant Visa holders from Iraq or Afghanistan
  - Lawful permanent residents
    - Who have held one of these statuses in the past
  - Victims of human trafficking
  - veterans and active duty military and their spouses and children,
  - Member of a federally recognized Indian tribe or American Indian born in Canada.

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In addition to children or pregnant woman “lawfully residing,” there are other exceptions to the 5-year waiting period, such as Lawful Permanent Resident individuals who used to be refugees or asylees.

Refugees who are admitted to the United States **meet the immigration status eligibility requirements** for immediate access to Medicaid, the Children’s Health Insurance Program, and the health coverage options In the Marketplace

Six other groups are eligible for the same benefits and services available to refugees. These are:

1. Asylees
2. Cuban and Haitian Entrants
3. Amerasians
4. Special Immigrant Visa Holders from Iraq or Afghanistan
5. Lawful Permanent Residents (who have held one of these statuses in the past)
6. Victims of human trafficking
7. Veterans, members of the military on active duty, and their spouses and unmarried dependent children
8. Member of a federally recognized Indian tribe or American Indian born in Canada.

## Mixed Status Families Options for Care and Coverage

- Can apply for a tax credit or Medicaid and CHIP for their dependent family members
- Family members who aren't applying for health coverage for themselves won't be asked if they have eligible immigration status

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Many immigrant families are of “mixed status,” with members having different immigration and citizenship statuses. Some families may have taxpaying members who can’t buy health insurance through the Marketplace, alongside other family members who are eligible to use the Marketplace as citizens or lawfully present immigrants.

The same situation could apply in a family that has some members who aren’t eligible for full Medicaid, and others who are eligible for partial Medicaid or CHIP.

“Mixed status” families can apply for a tax credit or lower out-of-pocket costs for private insurance for their dependent family members who are eligible for coverage in the Marketplace or for Medicaid and CHIP coverage. Family members who aren't applying for health coverage for themselves won't be asked if they have eligible immigration status.

## Medicaid and the Marketplace

- If you're eligible for Medicaid, you aren't eligible for premium tax credits or Marketplace cost-sharing reductions
- You may live in a state that is NOT expanding Medicaid
  - If your income is **more** than 100% FPL, you may be eligible for a premium tax credit (about \$23,850 for a family of 4 in 2014)
  - If your income is **less** than 100% FPL, you aren't eligible for a premium tax credit unless you are lawfully present and not otherwise eligible for Medicaid or CHIP "**based on immigration status**"
    - Can get hardship exemption and won't have to pay a fine for not obtaining health coverage

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Some states aren't expanding their Medicaid programs. In these states, some people with limited incomes may have fewer coverage options.

If you live in a state that isn't expanding Medicaid you may not qualify for either Medicaid or reduced costs on a private insurance plan. It depends on where your income falls.

- If your income is **more** than 100 percent of the Federal poverty level -- about \$11,670 a year as a single person or about \$23,850 for a family of 4 in 2014 -- you **can** buy a private health insurance plan in the Marketplace and may get lower costs based on your household size and income and meet other criteria.
- If you make **less** than about \$11,670 a year as a single person or about \$23,850 for a family of 4 in 2014, you **may not** qualify for lower costs for private insurance based on your income. However, you may be eligible for Medicaid, even without the expansion, based on your state's existing rules.

Many adults in those states (that aren't expanding Medicaid) with incomes below 100 percent of the federal poverty level fall into a gap. Their incomes may be too high to get Medicaid under their state's current rules. But their incomes are too low to qualify for help buying coverage in the Marketplace. However, these individuals won't have to pay a fine if they don't obtain health coverage.

Applicants not otherwise eligible for Medicaid or CHIP "**based on immigration status**" may receive a Premium Tax Credit and Cost-Sharing Reduction, even if under 100% FPL.

## The Coverage Application

- Available electronically and on paper in English and Spanish
- Federal Marketplace Application form
  - Dynamic online version asks only relevant questions based on your responses
  - Streamlined paper version
- State-based Marketplaces may have own version
- Help is available to complete application
- Application instructions are available in other languages

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Marketplace for Immigrant Families

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The Marketplace coverage application is available electronically and on paper, in both English and Spanish. The online version of the form is dynamic and asks only relevant questions based on your prior responses.

The federal paper application can be downloaded from [marketplace.cms.gov/getofficialresources/publications-and-articles/publications-and-articles.html](http://marketplace.cms.gov/getofficialresources/publications-and-articles/publications-and-articles.html).

For application instructions in other languages, go to [Marketplace.cms.gov/getofficialresources/other-languages/other-languages-materials.html](http://Marketplace.cms.gov/getofficialresources/other-languages/other-languages-materials.html) (it is not an application).

State-based Marketplaces may have their own versions of the application.

## Disclosure of Immigration Status

- Application asks only for the information needed to determine eligibility for health coverage
- People who aren't seeking coverage for themselves won't be asked about their immigration status
- Benefits can't be denied because a family or household member who isn't applying hasn't disclosed citizenship or immigration status
- Application information is verified through a "data services hub"

Information provided by applicants or beneficiaries won't be used for immigration enforcement purposes

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Federal and state Marketplaces and state Medicaid and Children's Health Insurance Program(CHIP) agencies can't require applicants to provide information about the citizenship or immigration status of any family or household members who aren't applying for coverage. States also can't deny benefits to an applicant because a family or household member who isn't applying hasn't disclosed his or her citizenship or immigration status.

Generally, Health Insurance Marketplaces and state Medicaid and CHIP agencies can require the disclosure of Social Security Numbers (SSNs) only for applicants, recipients of benefits, and certain people whose income is needed for computing tax credits.

States can ask other non-applicants for an SSN but only if they clearly indicate that providing this information is voluntary, and if they explain how the information will be used. States can't deny benefits because the applicant doesn't provide the SSNs of people who aren't applicants for benefits or recipients of Medicaid or CHIP benefits, or those not required to provide SSNs.

Federal and state Marketplaces and state Medicaid and CHIP agencies verify application information through a "data services hub." The hub allows the Marketplace, Medicaid, and CHIP to securely submit application information. The federal government sends information back to verify the data.

The Department of Health and Human Services and other federal agencies apply privacy and security standards to govern the use and transfer of this information. Applications for the Marketplace, Medicaid, and CHIP ask only for the information needed to determine eligibility for health coverage. People who aren't seeking coverage for themselves won't be asked about their immigration status.

Information provided by applicants or beneficiaries won't be used for immigration enforcement purposes.

## Undocumented Immigrants

- Aren't eligible for federal public benefits through the Affordable Care Act
- May continue to buy coverage on their own outside the Marketplace
- Can get limited services for an emergency medical condition through Medicaid
  - If otherwise eligible for Medicaid in the state
- Aren't subject to the individual shared responsibility requirement

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Marketplace for Immigrant Families

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Undocumented immigrants aren't eligible for federal public benefits through the Affordable Care Act. For example, undocumented immigrants can't buy coverage through the Marketplace. Premium tax credits aren't available for undocumented immigrants.

Undocumented immigrants may continue to buy coverage on their own outside the Marketplace and can get limited services for an emergency medical condition through Medicaid, if they're otherwise eligible for Medicaid in the state.

Undocumented immigrants aren't subject to the individual shared responsibility requirement (fee collected at tax time for most uninsured people).

## Additional Information for Immigrant Families

- Federally-funded health centers are required to provide primary health care services to all residents, including immigrant families
- States may choose to provide insurance coverage to additional immigrant populations
  - About one-third of states offer health coverage using state-only funds to other non-citizens who don't meet federal definitions

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Marketplace for Immigrant Families

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Federally-funded health centers, which are community-based organizations that serve populations with limited access to health care, are required to provide primary health care services to all residents, including immigrant families, in the health center's service area.

States may choose to provide insurance coverage to additional immigrant populations. About one-third of states offer health coverage using state-only funds to other non-citizens who don't meet federal definitions.

## Enrollment Assistance

- Help is available in the Marketplace
  - Marketplace Call Center
  - SHOP Call Center for Employers
  - Navigators
  - Certified application counselors
  - Agents and brokers
  - Other enrollment assisters

Get personal help applying for health coverage

Enter City and State or Zip Code  
e.g., Austin, TX or 78701

[LocalHelp.HealthCare.gov](http://LocalHelp.HealthCare.gov)

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Marketplace for Immigrant Families

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If you have questions or need help applying for coverage, there are resources that are available, including a toll-free call center and website with plan comparison tools. There are also several programs to help you through the process of enrolling and using health insurance, including the Navigator program.

Other assisters such as non-Navigator assistance personnel, agents and brokers, and certified application counselors also play a large role in helping people apply for health insurance coverage. Use the Find Local Help tool at [LocalHelp.HealthCare.gov](http://LocalHelp.HealthCare.gov) to find local, personal help applying for health coverage.

## Marketplace Call Center

- Serves Federally- facilitated and State Partnership Marketplaces
  - 1-800-318-2596 (TTY 1-855-889-4325)
- Customer service representatives available 24/7
- Help with eligibility, enrollment, and referrals
- Assistance in English and Spanish
  - Oral interpretation for 240+ additional languages
- State-based Marketplaces have own call centers



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Marketplace for Immigrant Families

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There's a Marketplace Call Center for consumers who live in states operating Federally-facilitated and State Partnership Marketplaces. When you call, you'll be asked what state you live in. If you live in a state operating a State-Based Marketplace, you'll be provided with the number to that state's Marketplace call center.

The number for the National Marketplace Call Center is 1-800-318-2596. TTY users should call 1-855-889-4325.

Customer service representatives are available 24 hours a day, 7 days a week, including New Year's Day. The call center is closed on Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas.

Customer service representatives can help you complete the entire application process from beginning to end with information you provide over the phone, including reviewing your options and helping you enroll in a plan. They can also answer questions as you fill out an online or paper application and refer you to local help resources in your community.

The call center provides objective information in English and in Spanish. It also uses a language line to provide oral interpretation for more than 240 additional languages.

## Getting Help in a Language Other than English

- Interpreter services in more than 240 languages are available at no cost at 1-800-318-2596
  - CMS Product No. 11658 provides a translated written explanation of how to get this service in
    - Albanian, Amharic, Arabic, Bengali, Cantonese, Chinese, French, French Creole, German, Gujarati, Hindi, Korean, Mandarin, Punjabi, Pennsylvania Dutch, Persian, Polish, Portuguese, Romanian, Russian, Spanish, Tagalog, Thai, Urdu, and Vietnamese
  - Available on Marketplace.gov

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If you, or someone you're helping, has questions about the Health Insurance Marketplace, you have the right to get help and information in your language at no cost. Interpreters are available in 240+ different languages. To talk to an interpreter, call 1-800-318-2596.

A written explanation of this service is available in Albanian, Amharic, Arabic, Bengali, Cantonese, Chinese, French, French Creole, German, Gujarati, Hindi, Korean, Mandarin, Punjabi, Pennsylvania Dutch, Persian, Polish, Portuguese, Romanian, Russian, Spanish, Tagalog, Thai, Urdu, and Vietnamese in CMS Product No. 11658 at [marketplace.cms.gov/getofficialresources/publications-and-articles/getting-help-in-a-language-other-than-english.pdf](http://marketplace.cms.gov/getofficialresources/publications-and-articles/getting-help-in-a-language-other-than-english.pdf).

## Small Business Health Options Program (SHOP) Call Center

- For small **employers** with 50 or fewer employees
  - 1-800-706-7893 (TTY 1-800-706-7915)
- Customer service representatives available Monday – Friday from 9 a.m. to 7 p.m. EST
- Small business **employees** with SHOP questions should call the National Marketplace Call Center

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Marketplace for Immigrant Families

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There's a Small Business Health Options Program (SHIP) Call Center where small employers can get your SHOP and small business questions answered by a customer service representative at 1-800-706-7893 or (TTY 1-800-706-7915). The call center is open Monday through Friday, 9 a.m. to 7 p.m. EST. Agents and brokers may also use this number. Small business employees with SHOP questions should contact the National Marketplace Call Center. If your state has its own SHOP, you may be referred to its SHOP call center.

## Key Points to Remember

- ✓ The Marketplace is a new way to find and buy health insurance
- ✓ Qualified individuals including certain immigrants can shop for health insurance that fits their needs and budget
- ✓ Immigrants and their families may be eligible for lower costs on their monthly premiums and out-of-pocket costs
- ✓ There is assistance available to help you get the best coverage for your needs in a language that you understand

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Marketplace for Immigrant Families

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Here are some key points to remember:

- ✓ The Marketplace is a new way to find and buy health insurance
- ✓ Qualified individuals including immigrants can shop for health insurance that fits their needs and budget
- ✓ Immigrants and their families may be eligible for lower costs on their monthly premiums and out-of-pocket costs
- ✓ There is assistance available to help you get the best coverage for your needs in a language that you understand

## Ways to Connect with the Marketplace

1. Marketplace.cms.gov
2. Sign up for updates at HealthCare.gov/subscribe or CuidadodeSalud.gov/es/subscribe
3. Twitter.com/HealthCareGov – Follow @HealthCareGov
4. Facebook.com/HealthCareGov
5. Youtube.com/HealthCareGov
6. The HealthCare.gov Blog: [HealthCare.gov/blog/](http://HealthCare.gov/blog/)
7. Federal training for agents and brokers, Navigators, in-person assisters, and certified application counselors  
[marketplace.medicarelearningnetworklms.com](http://marketplace.medicarelearningnetworklms.com)

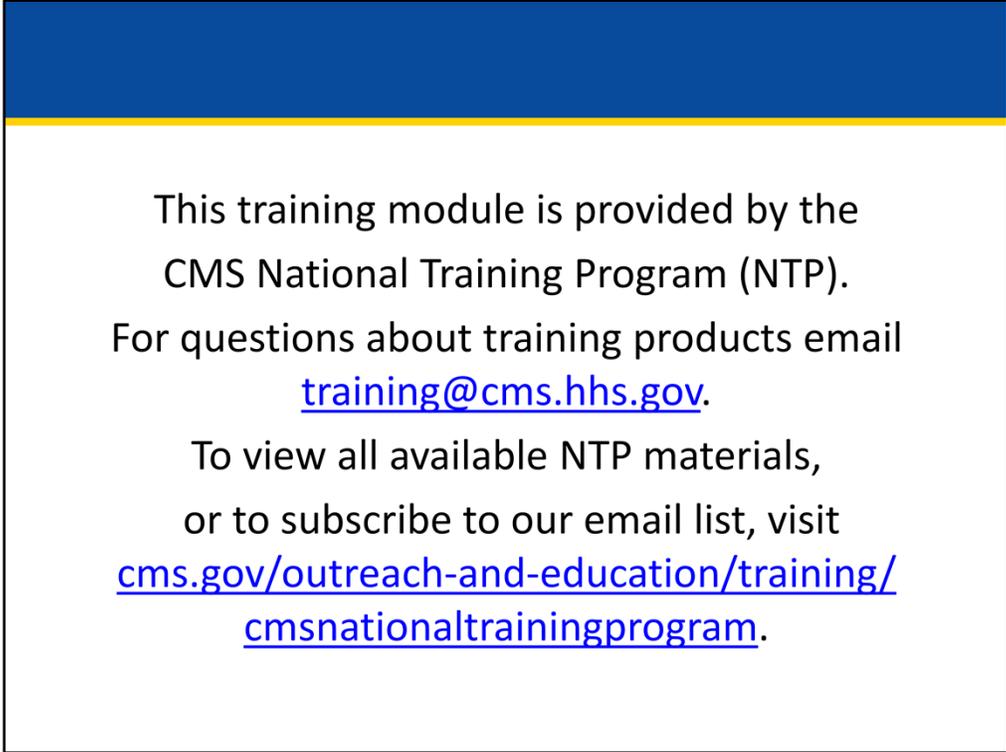
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Don't miss key dates and information about the Health Insurance Marketplace. Here's how to stay connected:

1. If you're a professional learning about the Marketplace and helping people apply, you can get the latest resources at Marketplace.cms.gov. You'll find resources for assisters, training modules, videos, frequently asked questions, and official resources. You can also sign up to get email updates.
2. Sign up for email or text updates at HealthCare.gov/subscribe or CuidadodeSalud.gov/es/subscribe. Get updates in your inbox or on your mobile phone.
3. Twitter: [Twitter.com/HealthCareGov](https://twitter.com/HealthCareGov). Follow @HealthCareGov
4. Facebook: Facebook.com/HealthCareGov. Join the conversation. Like, share, and respond to our latest posts.
5. YouTube: Youtube.com/HealthCareGov. Watch and share videos about the Marketplace.
6. The HealthCare.gov Blog on [www.healthcare.gov/blog/](http://www.healthcare.gov/blog/). Find tips for consumers and small businesses, top things to know about the Marketplace, frequently asked questions, and more. Make comments to continue the discussion.
7. If you're an agent, broker, Navigator, in-person assister, or certified application counselor in a Federally Facilitated or State Partnership Marketplace, you can take required training at [marketplace.medicare.learningnetworklms.com](http://marketplace.medicare.learningnetworklms.com).



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