![Centers for Medicare & Medicaid Services logo]

What immigrants and refugees need to know about the Affordable Care Act (ACA)

December 2015

The information provided in this presentation is intended only to be a general informal summary of technical legal standards. It is not intended to take the place of the statues, regulations, and formal policy guidance that it is based upon. This presentation summarizes current policy and operations as of the date it was presented. Links to certain source documents have been provided for your reference. We encourage audience members to refer to the applicable statutes, regulations, and other interpretive materials for complete and current information.

Objectives

This session will help you
- Explain the benefits of the Affordable Care Act and Health Insurance Marketplace
- Define who might be eligible for the Marketplace and Medicaid
- Tips for Applying for Coverage through the Individual Marketplace
- How to find help and enroll in coverage
- Resources

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
- Can apply for Medicaid or CHIP
- Small Business Health Options Program
  - Marketplace through which eligible small employers can offer coverage to their employees

When Can Consumers Enroll in Coverage through Health Insurance Marketplace for Individuals and Families

- Annual Open Enrollment Period (OEP)
  - The OEP for coverage for 2016 is from **November 1, 2015—January 31, 2016**
- During a Special Enrollment Period (SEP), if eligible
  - A SEP is a time outside of the open enrollment period during which a consumer may be eligibleto sign up for health coverage.
  - In the Marketplace, a consumers can qualify for a special enrollment period that lasts 60 days following certain life events that involve a change in family status (for example, marriage or birth of a child) or loss of other health coverage.
    - Learn more: https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/
- Can apply for Medicaid/CHIP at any time, no enrollment period is required

4 Ways to Get Individual Marketplace Coverage

Over the phone
Call the Marketplace Call Center at **1-800-318-2596**. TTY users should call **1-855-889-4325**. A customer service representative can help you apply and enroll over the phone.

Online
Visit **HealthCare.gov** to apply and enroll on the web.

In-person help
Get help from people in your community trained and certified to help you apply and enroll in the Marketplace. Visit **Localhelp.HealthCare.gov**, or call the Marketplace Call Center.

Paper application
If you don't have a computer or time to apply and enroll over the phone, you can fill out a paper application. Call the Marketplace Call Center to get an application or download a copy from **HealthCare.gov**.

Health Insurance **Marketplace**

CMS Product No. 11751
October 2013

The Coverage Application for Individuals and Families

- 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

HealthCare.gov

In-Person Assistance

- Marketplace-approved in-person help is available
  - Navigators
  - Non-Navigator assistance personnel
  - Certified application counselors
  - Enrollment assistance contractors
  - Agents and brokers registered with the Marketplace
  - To find help in your area, go to Localhelp.HealthCare.gov
  - If you are in a state with a State-based Marketplace, go to your State Marketplace web site to find help in your area

Visit Marketplace.cms.gov for information on your organization becoming a Champion for Coverage

Marketplace Call Center

- Serves Marketplaces using the federal eligibility and enrollment platform
  - 1-800-318-2596 (TTY 1-855-889-4325)
- Customer service representatives available 24/7
- Help with eligibility and enrollment
- Assistance in English and Spanish
  - Oral interpretation for 150+ additional languages

Call Center Language Access Services

- Consumers can call the Marketplace Call Center for assistance in over 240 languages.

- Consumers will initially be given the language options of English or Spanish via automated prompt. Consumers who speak a language other than English or Spanish can request to connect to a representative for assistance at any time.

- The representative will first try to determine what language is being spoken by asking the consumer what language he or she speaks, or by seeking assistance from another member of the consumer's household.

- Once the representative identifies the consumer's language, the consumer will be connected to the language line for assistance from an interpreter. If the representative cannot determine which language the consumer is speaking, the language line operator will provide assistance.

What's Covered by QHPs in the Health Insurance Marketplace

- QHPs cover essential health benefits, which include at least the following items and services:
  - Outpatient care—the kind you get without being admitted to a hospital
  - Trips to the emergency room
  - Treatment in the hospital for inpatient care
  - Maternity and newborn care before and after your baby is born
  - Mental health and substance use disorder services: This includes behavioral health treatment, counseling, and psychotherapy
  - Prescription drugs
  - Services and devices to help you recover if you are injured, or have a disability or chronic condition. This can include physical and occupational therapy, speech-language pathology, psychiatric rehabilitation, and more.
  - Lab tests
  - Preventive services including <u>counseling, screenings, and vaccines to keep you healthy</u> and care for managing a chronic disease.
    - **All Marketplace health plans and many other plans must cover preventive services without charging you a <u>copayment</u> or <u>coinsurance</u>. This is true even if you haven't met your yearly <u>deductible</u>.**
  - Pediatric services: This includes dental care and vision care for kids

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 be eligible for Marketplace coverage if pending disposition of charges

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 (2015 levels)
      - $23,850 – $95,400 for a family of 4 in 2015 (higher in Alaska and Hawaii)
  - Obtaining health insurance through the Marketplace
  - Ineligibility for other minimum essential coverage, other than individual market coverage. This means that you won't be eligible for lower cost premiums if you're eligible for certain public coverage (like Medicare and most Medicaid), affordable employer-sponsored insurance, or certain other minimum essential coverage

Medicaid Eligibility in 2016

- The Affordable Care Act offers a new opportunity for states to expand Medicaid
  - Adults 19 – 64 with incomes up to 133% FPL
    - $15,800 per year for individual in 2016
    - $32,319 per year for family of 4 in 2016
- Medicaid coverage is available for children in families with household incomes up to at least 133% FPL (higher in many states) 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
- Effective 2014, states must extend Medicaid coverage up to age 26 for young adults who have aged out of foster care in the state, including those aging out of the Unaccompanied Refugee Minors program (if the individual is otherwise eligible, including having an eligible immigration status).

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

- Immigrants who are "qualified non-citizens" are generally not eligible for Medicaid and CHIP for 5 years
- There are some exceptions (e.g., refugees and asylees)
  - In order to be eligible, the individual must meet their state's eligibility rules, including residency and income
- States have the option to cover lawfully residing children and/or pregnant women, without the 5-year waiting period
  - 29 states, D.C. and CNMI cover lawfully residing children or pregnant women.

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

Immigration Statuses Eligible for Marketplace Coverage

Lawfully Present statuses eligible for enrollment in a QHP through the Marketplace[+]
• 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
• <u>All of the Medicaid eligible statuses listed on the next slide</u>

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

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)**
• Lawful Permanent Resident (LPR/Green Card holder) • Paroled into the U.S for 1 year or more • Battered Spouse, Child, or Parent who has a pending or approved petition with DHS • Conditional Entrant (granted before 1980)	• Lawful Permanent Residents who adjusted from a status exempt from the 5-year bar • Refugee • Asylee • Cuban/Haitian Entrants • Granted Withholding of Deportation or Withholding of Removal • Trafficking Survivors and their spouses, children, siblings, or parents • Veterans or active duty military, and their spouses or unmarried dependents who also have a "qualified non-citizen" status • Certain Amerasian Immigrants • Member of a Federally-recognized Indian tribe or American Indian Born in Canada

* 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.

Medicaid and the Marketplace

- If you're eligible for most types of Medicaid, you aren't eligible for premium tax credits or cost-sharing reductions through the Marketplace.
- You may live in a state that has NOT expanded Medicaid
  - If your income is **more** than 100% FPL, you may be eligible for a premium tax credit and cost-sharing reductions (about $32,252 for a family of 4 in 2015)
  - If your income is **less** than 100% FPL, you aren't eligible for a premium tax credit unless you are lawfully present but not 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

Disclosure of Immigration Status

- The individual Marketplace application asks only for the information needed to determine eligibility for health coverage through the Marketplace and for insurance affordability programs (including Medicaid and CHIP), if you apply for help paying for coverage.

- People who aren't seeking coverage for themselves won't be asked about their immigration status

  - Can apply for coverage through the Marketplace, advance premium tax credits, cost-sharing reductions, and Medicaid and CHIP for their family members

- Benefits can't be denied because a household member who isn't applying hasn't disclosed citizenship or immigration status

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

Immigration Document Types

- Consumers may need to have one or more of the following documents (next slide) when they apply for individual Marketplace coverage.

- The documents they will need depend on their immigration status.

- A complete list of documents (and examples of images) can be used to show an applicant's immigration status can be found here:
  - https://www.healthcare.gov/immigrants/documentation

Examples of Immigration Documents

- Permanent Resident Card, "Green Card" (I-551)
- Reentry Permit (I-327)
- Refugee Travel Document (I-571)
- Employment Authorization Card (I-766)
- Machine Readable Immigrant Visa (with temporary I-551 language)
- Temporary I-551 Stamp (on passport or I-94/I-94A)
- Arrival/Departure Record (I-94/I-94A)
- Arrival/Departure Record in foreign passport (I-94)
- Foreign Passport
- Certificate of Eligibility for Nonimmigrant Student Status (I-20)
- Certificate of Eligibility for Exchange Visitor Status (DS2019)
- Notice of Action (I-797)
- Document indicating membership in a federally recognized Indian tribe or American Indian born in Canada
- Certification from U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR)
- Office of Refugee Resettlement (ORR) eligibility letter (if under 18)
- Document indicating withholding of removal
- Administrative order staying removal issued by the Department of Homeland Security
- Alien number (also called alien registration number or USCIS number) or 1-94 number

The full list can be found here: https://www.healthcare.gov/immigrants/documentation/

Immigration Documents on the Individual Marketplace Application

- On the consumer's application, they should select the document type from the drop-down list that corresponds with their most current documentation and status.

- Consumers with documents that do not fall into a specific category in the drop-down menu should select the "Other document or status types" option for additional options.

Immigration Documents on the Individual Application

- **Other:** If you don't see your document or status type listed, describe or enter the name of another type of immigration document issued by U.S. Citizenship and Immigration Services, Immigration and Customs Enforcement, or Customs and Border Protection. If you select "Other," you'll be asked to enter:

  - **Description:** Provide the name or describe the type of document you have.
  - **Alien number or I-94 number:** Enter either the alien number or the I-94 number, which is 11 digits, listed on the immigration document.

- **None of these:** Select this if nothing on this list applies to you. You can continue through the application without selecting a document.

Entering Document Information

- Consumers should enter as many fields from their immigration document as possible, even though some fields may be labeled "optional."
- Entering all document information:
  - makes the application process go smoother and faster,
  - helps make sure eligibility results are correct, and
  - may prevent the consumer from needing to come back later and provide more information.
- If the Marketplace does not have enough information to verify the consumer's immigration status, the consumer may have a "data matching issue."
- See appendix for more information.

Additional Information for Immigrant Families

- Federally-funded health centers are required to provide primary health care services to all residents, including immigrant families.
  - Find a local health center here: http://findahealthcenter.hrsa.gov/
- States may choose to provide health 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 eligibility criteria for Medicaid or CHIP

Tips Before Consumers Apply and Enroll

- Help consumers gather everything they need to apply online or through the Marketplace Call Center.

  - https://marketplace.cms.gov/outreach-and-education/apply-for-or-renew-coverage.pdf

- Use "See Plans and Prices," to help consumers compare and preview plans and price estimates before logging in.

  - https://www.healthcare.gov/see-plans/
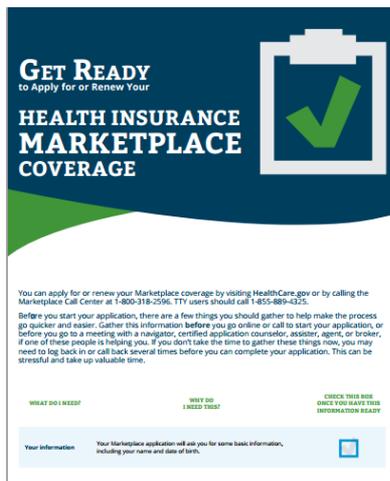
Key Points to Remember

- ✓ The Marketplace is a new way to find and buy health insurance
- ✓ Open Enrollment is now! Apply and choose a plan by January 31st
- ✓ Eligible individuals including certain immigrants can shop for health coverage (Marketplace, Medicaid, or CHIP) 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 consumers get the best coverage for their needs in a language that consumers understand

How to Get Involved

1) Become a Certified Application Counselor organization

2) Become a Champion for Change

3) Enhance awareness of the ACA

4) Engage in and share best practices and tips

1) Become a Certified Application Counselor (CAC) organization

- **What is a CAC and a CAC organization ?**
  - A CAC organization has staff and volunteers who help people understand, apply for, and enroll in health coverage through the Marketplace.
  - A CAC organization is an organization that meets regulatory standards, and has been formally designated by the Marketplace. In Marketplaces operated by CMS (Federally-facilitated Marketplaces), the formal designation process includes submission of an online CAC organization application, and entering into an agreement with CMS.
  - In Federally-facilitated Marketplaces, once designated, the organization must agree to certify at least one staff member or volunteer to be a CAC.
  - A CAC is an individual staff member or volunteer that is certified by a CAC organization (or, in some States, by a State-based Marketplace) to perform CAC services.

- **How to become a CAC Designated Organization (CDO) in a Federal-facilitated Marketplace**
  - Applicants apply by completing and submitting the online CAC application located here: http://marketplace.cms.gov/technical-assistance-resources/assister-programs/cac-apply.html

- **Resource: How to become a Certified Application Counselor Organization in a Federally-facilitated Marketplace**
  - Learn more about the process to become a CAC Organization here: https://marketplace.cms.gov/technical-assistance-resources/become-a-cac-in-an-ffm.pdf

2) Become a Champion for Coverage

- **Why should my organization become a "Champion for Coverage?"**

  – To take advantage of the online Health Insurance Marketplace, millions of uninsured individuals and families need to know about it and sign up. We need help from the public and private sectors to let people know about these new benefits and get them enrolled. Champions are key to sharing this information with their networks and communities.

  – Learn more here: https://marketplace.cms.gov/technical-assistance-resources/assister-programs/champion.html

  – List of Organizations that are Champions for Coverage: https://marketplace.cms.gov/technical-assistance-resources/champions-for-coverage-list.pdf

3) Enhance awareness of the ACA

- **Send your partners/members/customers to the official consumer sources to learn about the Marketplace and get coverage:**
  - For consumers: <u>HealthCare.gov</u> and <u>CuidadoDeSalud.gov</u>
  - For partners: <u>Marketplace.cms.gov</u>
  - 24/7 Consumer Call Center: 1-800-318-2596
  - <u>Find Local Help tool</u> to find local in-person enrollment assistance
- **Send an email to your network** about the Marketplace.
- Post the **HealthCare.gov and/or CuidadoDeSalud.gov <u>widgets</u> on your website.**
- Hang information at your agency and/or give out to colleagues and consumers about the Marketplace.
- **Host a** conference call, webinar, or another **educational event** about the Marketplace.
- Include a story about the Marketplace in your organizational newsletter or other publication.
- Record and send out **<u>a public service announcement</u> <u>about the Marketplace</u>**.
- Have your staff/members **learn about the Marketplace** in educational sessions.
- Connect with your partners/members/customers through official **Marketplace social media** channels to share their stories:
  - HealthCare.gov/connect: https://www.healthcare.gov/connect/
  - (Spanish-language) Cuidadodesalud.gov/connect: https://www.cuidadodesalud.gov/es/connect/

4) Engage in and share best practices and tips

- **Remember** that immigration status may be a sensitive issue for many.
- **Understand** that families that include immigrants may experience barriers when applying for health coverage and keep this in mind when working with immigrant consumers.
- **Be familiar** with the various immigration statuses and how this may impact a consumer's eligibility for health coverage.
- **Raise** awareness about eligibility for financial assistance that can lower costs.
- **Reassure** mixed status families that the information provided through their application for Marketplace coverage will not be used to take immigration action.
- **Provide** culturally and linguistically appropriate services and information.
- **Collaborate** with trusted local networks that provide social services to distribute information.
  - County health, housing, homeless and food banks
  - Community-based organizations and faith-based institutions
  - Elected officials and community leaders

Resources

- **Healthcare Coverage for Immigrants:**
  - https://www.healthcare.gov/immigrants/

- **Immigration documents:**
  - For more information about immigration documents that may be required or used, depending on the individual situation, visit the Marketplace at https://www.healthcare.gov/immigration-status-and-the-marketplace/

- **Citizenship and Immigration Questions on the Application:**
  - https://marketplace.cms.gov/technical-assistance-resources/citizenship-questions-on-marketplace-application.pdf

- **Immigrants Fast Facts for Assisters:**
  - https://marketplace.cms.gov/technical-assistance-resources/immigration-fast-facts.pdf

- **Assister Roadmap to Resources:**
  - https://marketplace.cms.gov/technical-assistance-resources/marketplace-assister-toolkit.html

- **More information can be found at Marketplace.CMS.gov:**
  - https://marketplace.cms.gov/technical-assistance-resources/special-populations-help.html
  - https://marketplace.cms.gov/outreach-and-education/special-populations.html

Resources (cont'd)

- **Refugees and the Affordable Care Act:**
  - https://www.acf.hhs.gov/sites/default/files/orr/fact_sheet_refugees_and_the_affordable_care_act_508_8_27_13b_508.pdf

- **ORR Website:** Visit the ORR website for more information about refugees at http://www.acf.hhs.gov/programs/orr/health
  - ORR also produced a six-minute video to introduce the Health Insurance Marketplace to refugees, available in six languages which you can find on the website.
    - **English**
    - **Arabic**
    - **Kinyarwanda**
    - **Nepali**
    - **Sgaw Karen**
    - **Somali**

Order CMS Print Resources

How to order resources from the CMS product ordering website

- Need to create an account.
- Go to http://productordering.cms.hhs.gov and select the words "create an account."
- There will be a section for justification for access.
  - Include the type of your organization (for example, "ABC Partnership Group," an advocacy group for seniors with diabetes).
  - Within 3 business days CMS will grant approval of the account, and you can log in to order products.
- You will receive an email notice of approval.
- Note: your account won't be accessible until your access is approved.

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/
7. Federal training for agents and brokers, Navigators, in-person assisters, and certified application counselors

Appendix

Immigration status Data Matching Issues
- What they are
- How to resolve them
- How to prevent them

Data Matching Issues (DMIs)

- When people apply for coverage through HealthCare.gov, the Marketplace verifies information that is provided by the consumer on his or her application (such as information about immigration or citizenship status and/or income).

- Most consumers' information is immediately verified by the Marketplace. But in some cases, the information the applicant provided doesn't match up right away with existing records or the applicant does not provide enough information to match with trusted data sources.

- These types of situations are called data matching issues, or inconsistencies.

- Consumers need to resolve their data matching issues by providing additional information to the Marketplace. If they do not, consumers with immigration status or citizenship data matching issues may lose eligibility for coverage through the Marketplace, and consumers with income data matching issues may experience a modification of their advance premium tax credits and cost-sharing reductions.

How to Resolve a Data Matching Issue

Consumers should respond to a request for documents by uploading or mailing in copies of 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.
  - **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/
  - **Tip:** Remember there are different documents to submit for immigration status, income, citizenship, and other DMIs.

NOTE: The Health Insurance Marketplace cannot verify immigration status for certain victims of human trafficking electronically. 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. Individuals with these forms of documentation will have to mail or upload them to the Marketplace.

NOTE: If an individual has a data matching issue, and is determined or assessed potentially eligible for Medicaid, the individual will send their additional information to resolve the inconsistency to the state Medicaid agency.

Tips for Preventing Immigration Status/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 Status/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.