



## **WEBINAR**

# **HEALTHCARE: UNDERSTANDING THE AFFORDABLE CARE ACT (ACA) AND HOW IT AFFECTS IMMIGRANT SURVIVORS**

Presented by: U.S. Department of Justice Office on Violence Against Women in partnership with the National Immigrant Women's Advocacy Project (NIWAP), and The California Coalition Against Sexual Assault (CALCASA)

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# How to use this technology



- Raise hand
- Text chat
- PowerPoint slides
- Polling Questions
- Phone

Please send a private chat message for help or call iLinc Support at 800-799-4510.

# Resources and Webinar Materials

- [www.niwap.org/go/healthcare](http://www.niwap.org/go/healthcare)
- PowerPoint
- Factsheets
  - Federal, State and Partnership Exchanges & Medicaid or Medicaid-Like Services
  - T Visas and the ACA
  - U Visas and the ACA
  - VAWA Self-Petitioners and the ACA
  - Anti-Discrimination Provisions
  - Programs open to all immigrants
  - Eligibility under the ACA for Survivors
- Healthcare Resource Guide for Service Providers
- Family Court Benchcard on Public Benefits
- [www.niwaplibrary.wcl.american.edu](http://www.niwaplibrary.wcl.american.edu)

# Learning Objectives

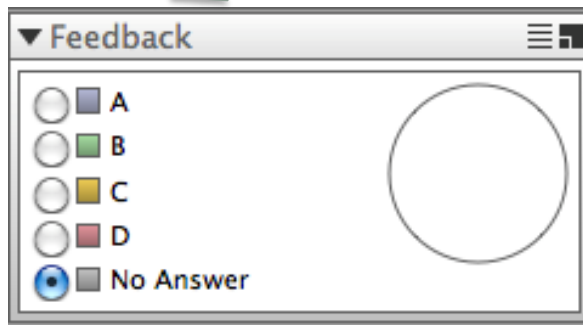
By the end of this webinar you should be better able to:

- Help immigrant survivors who qualify access healthcare through Healthcare Exchanges
- Identify which groups of immigrant survivors can access federal and state funded healthcare subsidies through the federal or state funded Medicaid or CHIP
- Look up what healthcare benefits survivors may qualify for by state
- Help undocumented survivors access healthcare they are eligible to receive

# Let's see who is on the webinar with us. Please check the box that best describes you:

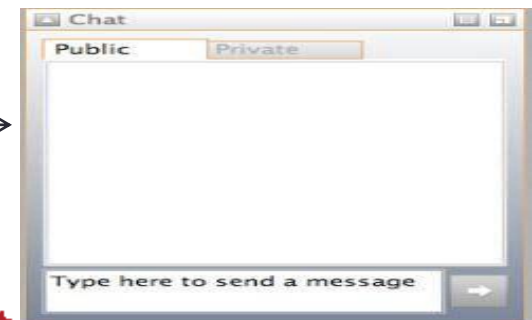
Answer on  
the left

- A. Domestic violence/sexual assault survivor advocate
- B. Healthcare service provider
- C. Attorney
- D. Other



A screenshot of a 'Feedback' window. It has a title bar with a dropdown arrow and the word 'Feedback'. Below the title bar, there are five radio buttons, each followed by a letter: A (blue square), B (green square), C (yellow square), D (red square), and 'No Answer' (blue circle). To the right of these options is a large empty circle.

Other write  
in chat box



A screenshot of a 'Chat' window. It has a title bar with the word 'Chat'. Below the title bar, there are two tabs: 'Public' and 'Private'. Below the tabs is a large text input area. At the bottom, there is a text box with the placeholder text 'Type here to send a message' and a send button with a right-pointing arrow.

What kind of healthcare  
services have your  
immigrant survivor  
clients and their  
children needed?





# Why is Immigration Status Important for Public Benefits and Health Care Purposes?

# Access to Benefits and Services Grows As Survivors Pursue Immigration Relief

- Filing immigration case leads to
  - State benefits access to some programs in some states
- Victims become *Qualified Immigrants*
  - Pending approval
    - VAWA prima facie determination
    - T visa bona fide determination
  - Upon approval
    - Continued Presence for trafficking victims
    - Special Immigrant Juvenile Status

# Qualified Immigrants Receive

- Federal public benefits
- Federal Means tested public benefits
  - Subject to 5 year bar
  - Health care subsidies have 5 year bar
- Access to health care exchanges
  - Also individual mandate and tax penalties
- State funded benefits

# Access to Health Care Exchanges

- VAWA self-petitioners
  - Prima facie determinations
- Trafficking victims
  - Bona fide determinations or
  - Continued presence
- U visa victims
  - Lawfully present upon wait list approval
- SIJS children
  - Lawfully present upon application

# Why is early screening important?

- Survivors who are lawfully present are be able to purchase healthcare
  - Through the Federal Exchange/Marketplace or
  - Through state exchanges.
- Can help survivors gain access to healthcare subsidies if offered in the victim's state

# Immigration Options and Benefits Available

## VAWA self-petition

- PRUCOL upon filing
- Prima facie = Qualified Immigrant
- Self-petitioner and children

## Battered spouse waiver

- Qualified Immigrant
- Can avoid deeming

## T visa

- PRUCOL upon filing
- Benefits access like refugees (7 years) need HHS certification
- Qualified Immigrant with bona fide determination

## Continued Presence

- Benefits access like refugees
- Need HHS certification

## U visa

- Lawfully present upon conditional approval

## Family Based Visa Petition Approved + Battering or Extreme Cruelty

- Qualified Immigrant
- Not required to file for VAWA

## Special Immigrant Juvenile

- Lawfully Present upon filing
- Qualified Immigrant upon approval and receipt of lawful permanent residency

## Deferred Action for Childhood Arrivals (DACA)

- No access to exchanges or subsidies

# Overview of The Affordable Care Act (ACA)

## Raise your hand if ---

- You have had battered immigrant clients who received prima facie determinations
- Your VAWA self-petitioner clients have applied for healthcare through the healthcare exchanges





## Raise your hand if ---

- You have had U visa clients who received approvals or wait list approvals
- Your U visa clients have applied for healthcare through the healthcare exchanges



# Eligibility under the ACA

## Eligible

- U.S. citizens
- Lawfully present immigrants
- Qualified Immigrants

## Not Eligible

- Undocumented Immigrants
- DACA recipients

# Lawful Presence = Exchange Access

- Citizens
- Green Card Holders
- Qualified immigrants
  - VAWA upon prima facie or approval
  - T upon bona fide or approval
- Persons granted nonimmigrant status
  - Approved U and T visas
  - Work visas
  - Student visas
  - Diplomats
- Deferred action
  - Includes U visa conditional approvals on wait list
  - DOES NOT include DACA
- Children who have applied for SIJS Temporary Protected Status (TPS)
- Humanitarian parole
- Refugees
- Asylum applicants

# So What Does This Mean?

- The mandate applies to:
  - VAWA Self-Petitioners;
  - U Visa Waitlist Approvals; and
  - Trafficking Victims
    - Continued presence
    - Bona fide



# What was created under the ACA?

- Access to marketplaces/exchanges (federal or state run)
- Premium tax credits
- Medicaid expansion
- Individual mandate
- Basic Health Program
- Pre-Existing Condition Insurance Plan



# ACA: Financial Assistance



- Premium tax credits
  - Lawfully present immigrants with household income between 100% and 400% of federal poverty level
- Cost-sharing reduction subsidies
  - 100% and 250% of federal poverty level
- Does not apply to employer or Medicaid funded healthcare

# ACA: Healthcare Subsidies



- Healthcare subsidies through
  - Federally funded Medicaid
  - Federally funded CHIP
    - (Child Health Insurance Program)
  - State funded healthcare
- Federal immigrant restrictions still apply
  - 5 year bar
  - States may offer subsidies to some immigrants

# The Five Year Bar

- Does not apply to pre 8/22/96 entrant qualified immigrants
- All qualified immigrants who first entered the U.S. after 8/22/96 are ineligible for “federal means-tested public benefits” for the first five years after they are granted qualified status



# Immigrants exempted From 5 year Bar

- Refugees;
- Asylees;
- Trafficking victims with HHS certification;
- Amerasian immigrants;
- Cuban/Haitian entrants;
- Withholding of removal/deportation; and
- Veterans, active military and
  - spouses & unmarried children under 21 years old

# Healthcare Programs Exempt from the 5 Year Bar

- Emergency Medicaid and other emergency medical services
- Immunizations, testing, and treatment for symptoms of communicable diseases
- HHS funded community and migrant health clinics

# State Option for Federally Funded Medicaid &/or CHIP “lawfully residing” children and pregnant women

- Lawfully present + Medicaid state residency rules
- No waiting period
- As of January 2013:
  - 25 states removed 5 year bar for lawfully present children
  - 20 states removed 5 year bar for lawfully residing pregnant women
- States that do not have this option:
  - 5 year bar applies to pregnant women and children

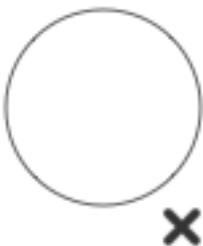


# Healthcare Open to All Immigrants Without Regard to Immigration Status


Receiving public  
benefits or healthcare  
can harm an immigrant  
victim's ability to obtain  
legal immigration status

▼ Feedback

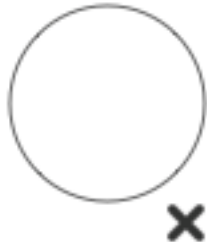
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Undocumented  
immigrant parents can  
apply for healthcare for  
their immigrant  
children

▼ Feedback 

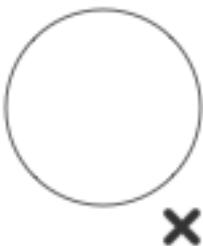
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Immigrants applying  
for healthcare for their  
children can refuse to  
provide immigration or  
social security  
information about  
themselves

▼ Feedback 

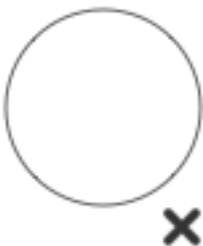
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0	False
0	No Answer



Undocumented  
immigrants cannot  
obtain healthcare from  
any federal funded  
health care providers

▼ Feedback 

0	True
0	False
0	No Answer





What types of services and assistance are open to all persons without regard to immigration status?

# Attorney General's List of Required Services

- In-kind services
- Provided at the community level
- Not based on the individuals income or resources
- Necessary to protect life & safety
- Programs covered by this AG order are open to all persons
- State and local governments CANNOT impose immigrant access restrictions

# Healthcare Programs that are “Necessary to Protect Life and Safety”

- Mental illness or substance abuse treatment
- Medical & public health & disability services necessary to protect life and safety

# Healthcare For Undocumented Immigrants

- Services necessary to protect life and safety
- Community and migrant health clinics
- State funded programs
- Post assault health care paid by VOCA funds
- Emergency Medicaid
- HHS Funded community and migrant health clinics
  - [www.nachc.com](http://www.nachc.com)
  - [www.hrsa.gov](http://www.hrsa.gov)

# Community and Migrant Health Clinics: HRSA Funded

# How to find free health clinics in your area



**Step 1:** In IE, go to [www.hrsa.gov](http://www.hrsa.gov)

**Step 2:** Select “Get Health Care”

**Step 3:** Select “Find a Health Center”

**Step 4:** Search by location

OR

**Step 3:** Select “Find out more about Hill-Burton...”

**Step 4:** Select “Hill-Burton Obligated Facilities”





## Find a Health Center

HRSA health centers care for you, even if you have no health insurance. You pay what you can afford, based on your income. Health centers provide

- checkups when you're well
- treatment when you're sick
- complete care when you're pregnant
- immunizations and checkups for your children
- dental care and prescription drugs for your family
- mental health and substance abuse care if you need it

Health centers are in most cities and many rural areas. Type in your address and click the 'Find Health Centers' button to find health centers near you.

[Search by Address](#)
[Search by State or County](#)

Near Address or Place:

☒ Display results with Text Only
 ☐ Display results with Text & Map

[Find Health Centers](#)

NOTE: The data used for this tool is current as of 6/13/2014 in the HRSA Data Warehouse.  
 HELP: CallCenter@hrsa.gov or (877) 464-4772, Monday through Friday (except Federal holidays), 9 am to 5:30 pm ET.

# Health Center Locator

Enter your zip code to see a list or map of health centers nearby.

U. S. Department of Health and Human Services  
 Health Resources and Services Administration

Enter Keywords  [SEARCH](#)  
☒ HRSA Data Warehouse ☐ HRSA.gov

Powered by the HRSA Data Warehouse

### Find a Health Center

[Download Health Centers and Look Alikes Report by State \(PDF\)](#)
[Download Health Centers and Look Alikes Raw Data \(Text File\)](#)
[Print](#)
[Email](#)
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[Text Only](#)
[Text & Map](#)
[Start a New Search](#)

Map all these results

Health Centers near Washington, DC 20016  
Results 1 - 10 of total 26. Page 1 of 2

**FRIENDSHIP PLACE HEALTH CENTER**  
 (~ 0.98 miles away)  
 4713 Wisconsin Ave NW, WASHINGTON, DC 20016-4609  
 202-364-1419  
<http://WWW.UNITYHEALTHCARE.ORG>  
 Get directions to this site from this site  
 Map this result

**CHRIST HOUSE 5TH HEALTH CENTER**  
 (~ 2.81 miles away)  
 1717 Columbia Rd NW, WASHINGTON, DC 20009-2803  
 202-588-8101  
<http://WWW.UNITYHEALTHCARE.ORG>  
 Get directions to this site from this site  
 Map this result

**Columbia Road Health Center**  
 (~ 2.84 miles away)  
 1800 Columbia Rd NW WASHINGTON, DC 20009



# Sample Search Results



U. S. Department of Health and Human Services  
Health Resources and Services Administration

Enter Keywords

SEARCH

☒ HRSA Data Warehouse ☐ HRSA.gov

Powered by the HRSA Data Warehouse

## Find a Health Center

[Download Health Centers and Look-Alikes Report by State \(PDF\)](#)

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[Print](#)

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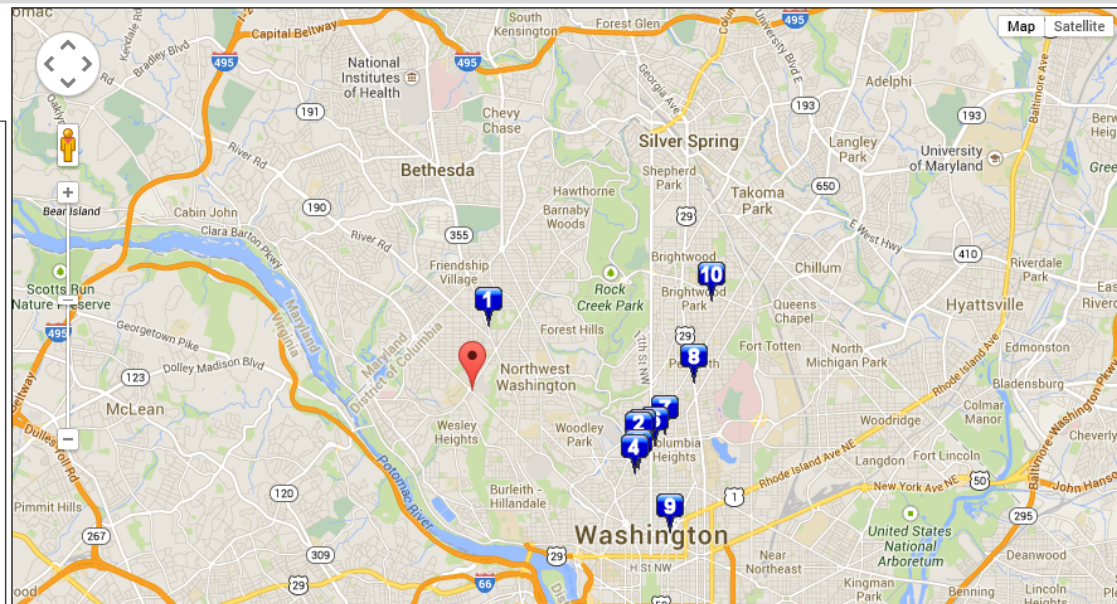
[Text & Map](#)

[Start a New Search](#)

[Map all these results](#)

**Health Centers**  
near Washington, DC 20016  
Results 1 - 10 of total 20. Page 1 of 2

- 1**  
**FRIENDSHIP PLACE HEALTH CENTER**  
(~ 0.98 miles away)  
4713 Wisconsin Ave NW, WASHINGTON, DC 20016-4609  
202-364-1419  
<http://WWW.UNITYHEALTHCARE.ORG>  
[Get directions to this site](#) [from this site](#)  
[Map this result](#)
- 2**  
**CHRIST HOUSE 5TH HEALTH CENTER**  
(~ 2.61 miles away)  
1717 Columbia Rd NW, WASHINGTON, DC 20009-2803  
202-588-8101  
<http://WWW.UNITYHEALTHCARE.ORG>  
[Get directions to this site](#) [from this site](#)  
[Map this result](#)
- 3**  
**Columbia Road Health Center**  
(~ 2.64 miles away)  
1660 Columbia Rd NW WASHINGTON DC 20009-





# Federally Qualified Health Centers

- Primary care
- Diagnostic, laboratory and radiological services
- Prenatal care
- Post-assault health care
- Cancer and other disease screening
- Child wellness services
- Emergency medical and dental services
- Immunizations
- Blood test screening
- Eye, ear and dental screenings for children
- Family planning services
- Preventative dental services
- Pharmaceutical services
- Mental health treatment
- Substance abuse services

# Hill-Burton

**Please note:** Not all states and regions have Hill-Burton obligated facilities.

Select “list of Hill-Burton obligated facilities” to see the nationwide list.

**Hill-Burton Program**

**Hill-Burton Free and Reduced-Cost Health Care**

**Hill-Burton Hotline**  
1-800-638-0742  
(1-800-492-0359 in Maryland)

**Find a Health Center**  
ZIP:   
**FIND CENTERS**

**HELP CENTER**  
HealthCare.gov

**Steps to Apply for Hill-Burton Free or Reduced-Cost Care**

1. Find the Hill-Burton obligated facility nearest you from the [list of Hill-Burton obligated facilities](#).
2. Go to the facility's admissions or business office and ask for a copy of the Hill-Burton Individual Notice. The Individual Notice will tell you what income level makes you eligible for free or reduced-cost care, what services might be covered, and exactly where in the facility to apply.
3. Go to the office listed in the Individual Notice and say you want to apply for Hill-Burton free or reduced-cost care. You may need to fill out a form.
4. Gather any other required documents (such as a pay stub to prove income eligibility) and take or send them to the obligated facility.
5. If you are asked to wait for Medicaid, Medicare, or some other

**Hill-Burton Program**

**Hill-Burton Facilities Obligated to Provide Free or Reduced-Cost Health Care**

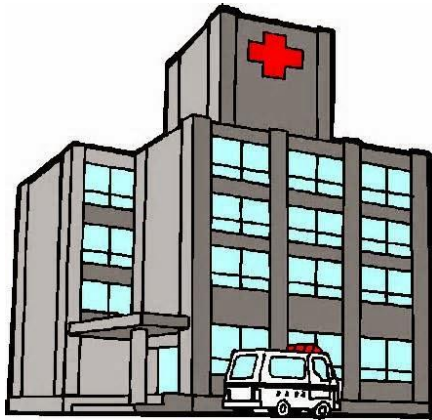
**Total Obligated Facilities:** 160 (05/05/2014)  
**No Obligated Facilities:** Alaska, Indiana, Maryland, Minnesota, Nebraska, Nevada, North Dakota, Rhode Island, South Dakota, Utah, Vermont, Wyoming and all the territories except Puerto Rico.

ST	Facility Name & Address	Facility Type	ID	REGULATION
AL	AUTAGAVILLE FAM HLTH C 203 NORTH TAYLOR ST, BOX 339 AUTAGAVILLE 36003 334-365-4524	Outpatient Facility	010213	515
AL	WILCOX CO HEALTH CTR 107 UNION STREET, PO BOX 547 CAMDEN 36726 334-682-4515	Public Health Center	010210	PFCA
AL	CHILDRENS & WOMENS HOSP 1700 CENTER STREET MOBILE 36604 251-415-1000	General Hospital	010214	Standard
AL	COLBERT CO HEALTH CTR 1000 SOUTH JACKSON HIGHWAY SHEFFIELD 35660 256-383-1231	Public Health Center	010211	PFCA
AR	SEBASTIAN CO HLTH DEPT 3112 SOUTH 70TH ST FORT SMITH 72901 479-452-8600	Public Health Center	050112	PFCA
AR	PHILLIPS CO HEALTH CTR PO BOX 2627	Public Health Center	050111	PFCA

# Emergency Medicaid

# Emergency Medicaid

- Available only in cases where the person needs treatment for medical conditions with acute symptoms that could:
  - place the patient's health in serious jeopardy;
  - result in serious impairment of bodily functions; or
  - cause dysfunction of any bodily organ or part



# What are the Primary Forms of Emergency Medicaid Immigrant Survivors Use?

# What Various States Offer Under Federal Emergency Medicaid

- Labor and Delivery (emergency and most states normal)
- Severe and acute symptoms
- Urgent pharmacy needs
- Mental health
- Inpatient substance abuse
- 72-hour release of drugs without prior approval

# Range of Coverage

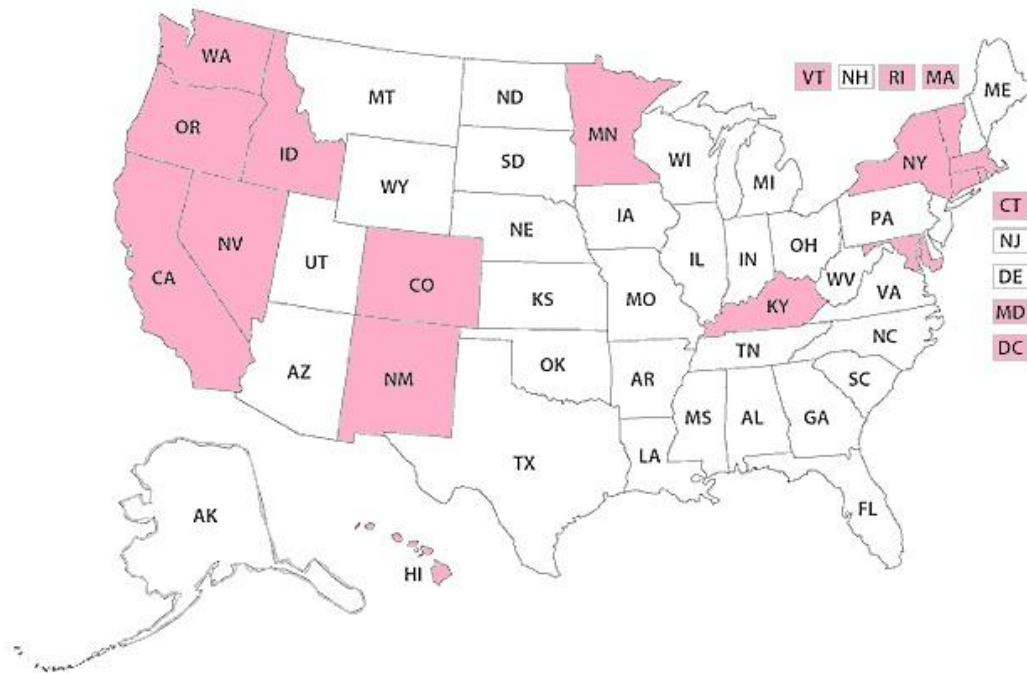
- Not covered:
  - Continuation of services
  - Limited to current medical condition
  - Some states mental health care or chronic conditions explicitly excluded

# The Affordable Care Act and the Federal and State Exchanges



# States That Run Own Exchanges

- The following states are responsible for running their individual state exchange/marketplaces:



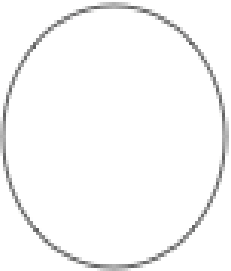
# DOES YOUR STATE RUN ITS OWN HEALTHCARE EXCHANGE/MARKETPLACE?

▼ Feedback

☐ Yes

☐ No

☒ No Answer



Answer on the left

**Raise your hand if ---**



You have assisted  
clients who are  
eligible to purchase  
health insurance  
through your state's  
healthcare exchange

# State-run Exchanges v. Partnership/Federal Exchange

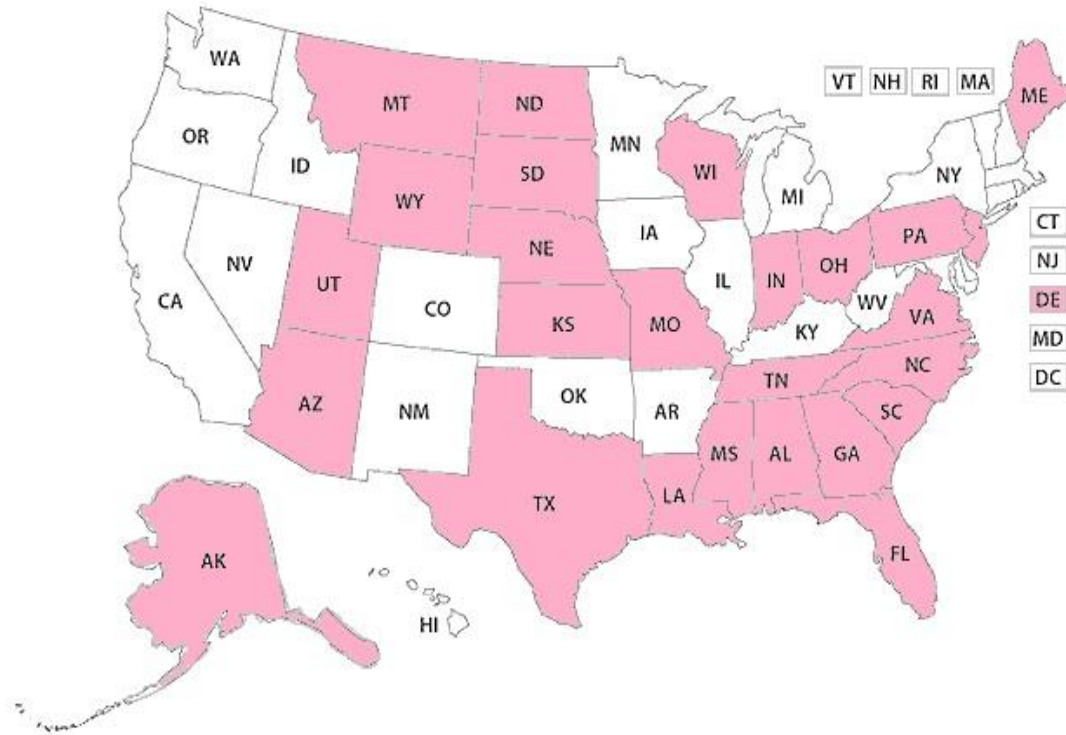
- States:
  - Create their own online platform
  - Oversee customer service issues
  - Manage outreach
  - Decide which health plan insurers are a part of the exchange
- Even though the platforms vary:
  - the identification and basic ACA requirements are the same as the Federal exchange

# Federal Exchange

- The Federal Exchange is used by residents of states that do not have their own exchanges to purchase private health insurance
- Applicant has to create an online account at [www.healthcare.gov](http://www.healthcare.gov)

# States using the Federal Exchange

- States that do not have their own health insurance exchanges so state residents must use the Federal Exchange:

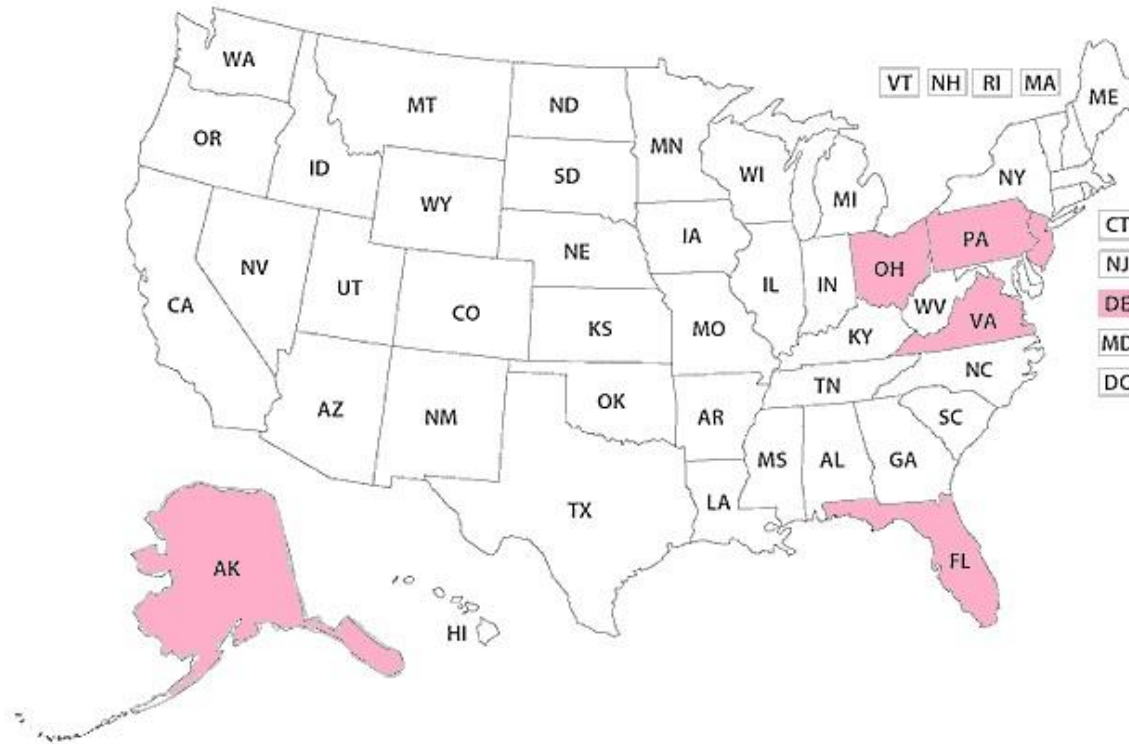


- States that are in a partnership market with the Federal Exchange:



# Federal Exchange that Offer Subsidies

- States using the Federal Exchange that provide at least some state-funded Medicaid or Medicaid-like coverage for certain qualified immigrants:





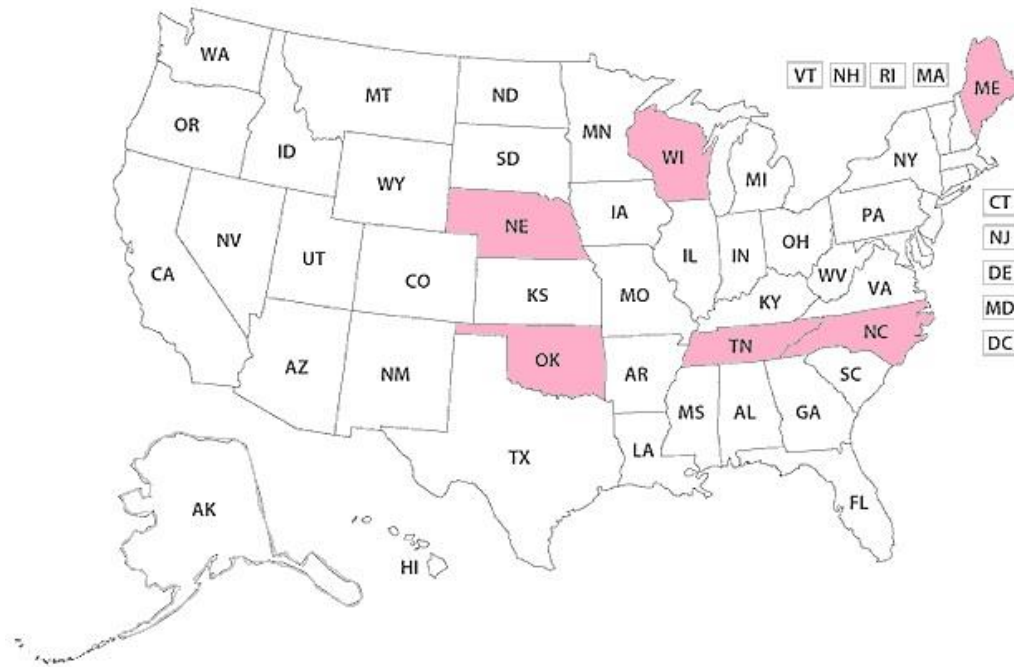
# Federal Exchange that Offer Subsidies

- The only state in a partnership market with the Federal Exchange to provide at least some state-funded Medicare coverage for certain qualified immigrants is Illinois.



# States on the Federal Exchange without State Medicaid Funding

- The following states use the Federal Exchange and have exercised the state option for federal coverage for certain qualified immigrants:



# States on the Federal Exchange without State Medicaid Funding

- The following states have partnerships with the Federal Exchange and have exercised the state option for federal coverage for certain qualified immigrants:

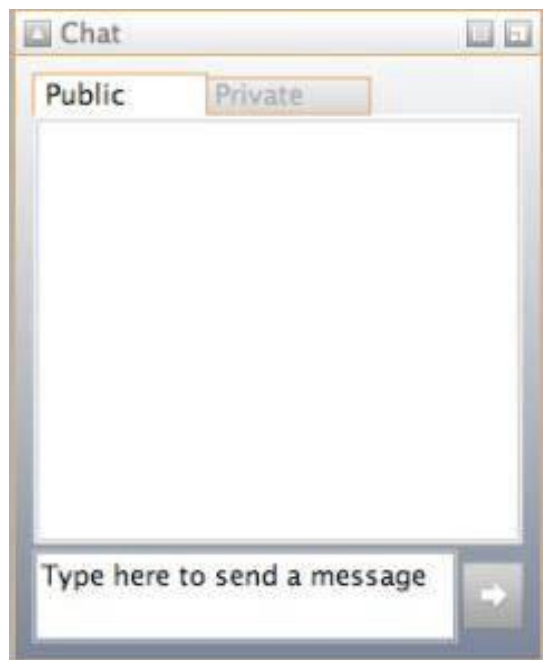


**Raise your hand if ---**



You have assisted  
clients who are  
eligible to purchase  
health insurance  
through the federal  
health care exchange

What difficulties or challenges have your clients encountered in applying to purchase insurance through the health care exchange?



# Immigration Statuses that Qualify for Marketplace Coverage

- Lawful Permanent Resident
- Asylee or Refugee
- Cuban/Haitian Entrant
- Paroled into the U.S.
- Conditional Entrant before 1980
- VAWA Self-Petitioning Battered Spouse, Child or Parent and
  - Child or Spouse in the self-petition
- Victim of Trafficking and
  - Spouse, Child, Sibling or Parent in T visa
- Granted Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention against Torture (CAT)
- Individual with Non-immigrant Status (e.g. work, student, diplomats, international organization visas and citizens of Micronesia, the Marshall Islands, and Palau)
- Temporary Protected Status (TPS)
- Deferred Enforced Departure (DED)
- Deferred Action Status
  - (Deferred Action for Childhood Arrivals (DACA) is not an eligible immigration status for applying for health insurance)
- Lawful Temporary Resident
- Administrative order staying removal issued by the Department of Homeland Security

Source: <http://1.usa.gov/1yonPWM>

# Immigration Statuses that Qualify for Marketplace Coverage Cont.

- Member of a federally-recognized Indian tribe or American Indian Born in Canada

- Resident of American Samoa

## **With Employment Authorization:**

- Registry Applicants
- Order of Supervision
- Applicant for Cancellation of Removal or Suspension of Deportation including VAWA
- Applicant for Legalization under IRCA
- Legalization under the LIFE Act

## **Applicant for any of these statuses:**

- Temporary Protected Status with Employment Authorization
- Special Immigrant Juvenile Status
- Victim of Trafficking Visa
- Adjustment to lawful permanent residency
- If granted employment authorization or are under age 14 + application pending for 180 days or more
  - Asylum
  - Withholding of Deportation or Removal, under the immigration laws or under the Convention against Torture (CAT)

# Immigrant Victim Eligibility Under the ACA

	Refugees, Asylees, Trafficking Victims with T Bonafide or Continued Presence	Lawfully Permanent Residents (Green Card Holders), VAWA prima facie, and other qualified immigrants			VAWA prima facie, U (Conditionally Approved & Approved), SJIS pending & Other Lawfully Present Immigrants	Undocumented Immigrants & DACA
		Adults 19 & Over	Children under Age 19	Pregnant Women		
<b>Federal Medicaid</b>	✓	No. Subject to 5 Year Bar	State Option Subject to 5 Year Bar.	State Option Subject to 5 Year Bar.	State Option If Under 21 or Pregnant	No. (Except Emergency Services)
<b>Federal CHIP</b>	✓	N/A	State Option Subject to 5 Year Bar.	State Option Subject to 5 Year Bar.	State Option If Under 21 or Pregnant	No. (Except state option for prenatal care services only)
<b>State Funded Medicaid</b>		State Option. Varies by Immigration status and/or by form of health care offered			State Option. Varies by Immigration status and/or by form of health care offered	
<b>Full Price Qualified Health Plan</b>	✓	✓	✓	✓	✓	No.
<b>Premium Tax Credits</b>	✓	✓	✓	✓	✓	No.
<b>Individual Mandate</b>	✓	✓	✓	✓	✓	No.

This chart was adapted from the Center on Budget and Policy Priorities, available at: <http://bit.ly/1an7Uwi>



# Immigrant Families and the Marketplace

<http://1.usa.gov/1IFWCCg>

## What do immigrant families need to know about the Marketplace?

[Tweet](#) 113 [Like](#) 453 [Email](#)

[PRINT](#)

Immigrant families have important Marketplace eligibility details to consider. This page will help you understand your coverage options.

### Lawfully present immigrants and private insurance

In order 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:

- "Qualified non-citizen" immigration status without a waiting period (see the definition below)
- Humanitarian statuses or circumstances (including Temporary Protected Status, Special Juvenile Status, asylum applicants, Convention Against Torture, victims of trafficking)

#### ✓ TAKE ACTION

[Report income or life changes](#)

[Use your new coverage](#)

[See if you can get 2014 coverage](#)

[Learn about fees and exemptions](#)

#### RELATED CONTENT

[How do I apply for Marketplace coverage?](#)

[Are my children eligible for CHIP?](#)

[Am I eligible for coverage in the Marketplace?](#)

This page explains how immigration status will affect families applying for healthcare, including important information on immigration status disclosure rules, as well as available benefits and how to access them.

# Application Process

- Create an Account at [www.healthcare.gov](http://www.healthcare.gov)
- Determine who is applying for coverage:
  - Families can identify certain family members as non-applicants for healthcare
    - These family members are not required to disclose
      - Disclose their citizenship/immigration status
      - Provide SSN if they do not have one
  - Only provide information that is relevant to determining financial eligibility (i.e., income & tax filings)

This slide was adapted from The Center on Budget and Policy Priorities: <http://bit.ly/1an7Uwi>

# How are Social Security Numbers Used in the Healthcare Application

- Verify citizenship of the applicant
- Verify income for subsidy/tax credit/Medicaid eligibility
- For lawfully present immigrants
  - VAWA self-petitioners and cancellation applicants with prima facie determinations
  - SIJS applicants
  - Non-work approved visa holders who received non-work SSNs
- Without SSNs – leave field blank
  - Even if applicant has an ITIN

This slide was adapted from The Center on Budget and Policy Priorities

# Social Security Numbers and Federal Exchange Applications - Applicants

- Applicant is the person who will use health insurance
- Applicants for health insurance coverage only have to provide an SSN *if they have one*
- Both applicants and non-applicants will be asked for their SSN for
  - Income verification purposes

This slide was adapted from The Center on Budget and Policy Priorities

# Prima Facie, Approved VAWAs and SIJS Applicants

- Lawfully present applicants without SSN
- Can apply for insurance through exchanges
- If eligible for subsidy because 5+ years as qualified immigrant or pregnant or child and state option or state funding
  - *must* file a tax return
  - Can do so by obtaining an Individual Taxpayer Identification Number (ITIN)
  - ITIN not needed for healthcare application

This slide was adapted from The Center on Budget and Policy Priorities

# Social Security Numbers and Federal Exchange Applications: Non-Applicants

- Non-applicants are not required to provide an SSN unless:
  - They or their tax dependents are applying for premium tax credits; **and**
  - They have an SSN; **and**
  - They are a taxpayer
- Non-applicants are not required to provide immigration status information
  - Should state
    - “I am not applying for myself”
    - “I am only applying for my child(ren)”

This slide was adapted from The Center on Budget and Policy Priorities

# Identification Verification

- Identification verification is required when setting up an account on the Federal Exchange
- This includes:
  - Name and address verification
  - Credit check



This slide was adapted from The Center on Budget and Policy Priorities

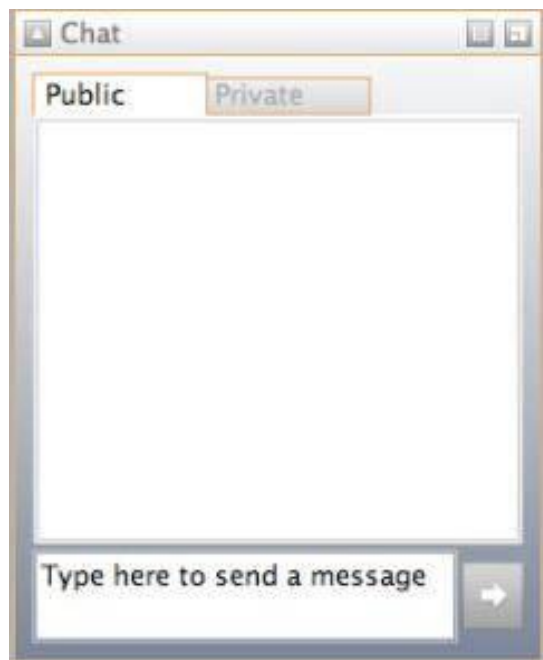
# When Identification Cannot be Verified Online

- The applicant will be given a reference ID number and will be directed to the Help Desk
  - Language assistance is available through the Federal Exchange call center
- If identification cannot be verified over the phone, the applicant will be required to mail or upload documents that verify identification

This slide was adapted from The Center on Budget and Policy Priorities



What kind of documents do you think your immigrant client has or could obtain to provide as verification of their identity?



# Documents that Verify Identification

Can upload or mail one of the following:

- Driver's License
- School ID Card
- Voter Registration card
- U.S. Military Card
- U.S. Military Draft Record
- ID Card issued by federal, state, or local government  
*(can include immigration documentation from DHS)*
- Military Dependent ID card
- Tribal Card
- Authentic Document from a Tribe
- U.S. Coast Guard Merchant Mariner Card

This slide was adapted from The Center on Budget and Policy Priorities

# Documents that Verify Identity

- If the applicant does not have one of the documents from the prior list, any 2 of the following can be mailed or uploaded:
  - U.S. public birth record
  - Social security card
  - Marriage certificate
  - Divorce decree
  - Employer identification card
  - High school or College diploma
  - Property deed or title

This slide was adapted from The Center on Budget and Policy Priorities

# Who will be Affected by Verification?

- Applicants with little or no credit history
- Undocumented parents that are applying through the exchange on behalf of their citizen children
- If verification cannot be completed
  - Applicant should fill out a paper form or apply over the phone

This slide was adapted from The Center on Budget and Policy Priorities

# How an Eligible Immigrant's Immigration Status is Verified

- Applicant will have to select his or her immigration status when filling out an application by indicating which document type he or she has (i.e., green card, student visa, etc.)
- Applicant will be asked to provide "A" number
- Immigration status is verified through the DHS SAVE system
- If the online system does not work, the applicant will have to mail or upload supporting documents

# Health Care Application Will Not Trigger Immigration Enforcement

- By law, information can only be used for health care eligibility and enrollment
- Information about applicants and household members
  - Will not be used by DHS for immigration enforcement

# Undocumented Immigrants and the Federal Exchange

- Ineligible to purchase qualified health plans
- Exempt from the individual mandate
- Immigrant crime victims with pending immigration applications who are not able to
  - Purchase health care on the exchanges
  - Receive a subsidy or tax credit
  - Are also exempt from the individual mandate
- Examples
  - VAWAs before prima facie
  - U visas pending conditional approval
  - T visas pending bona fide
    - without continued presence

# Healthcare and Public Charge

- Applying for Medicaid, CHIP or healthcare subsidies paid by states for themselves or their children will not make an immigrant survivor a public charge
- Immigrant survivors exempt from public charge
  - VAWAs
  - T Visas
  - U Visas



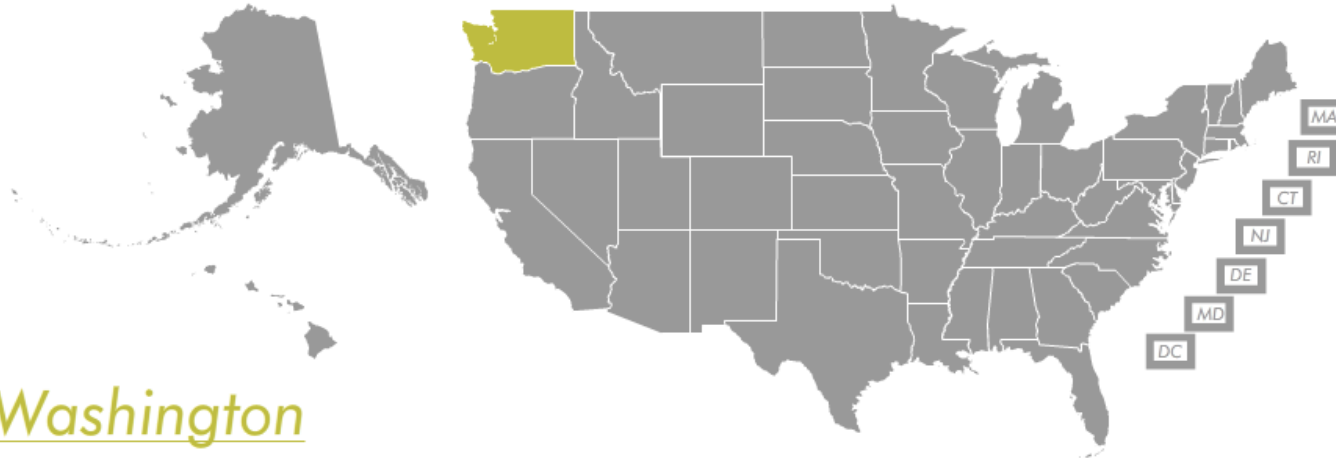
# State-by-State Charts Addressing Immigrant Victim Access to the Following:

- Healthcare access by immigration status by state
  - Emergency Medicaid
  - Forensic Examinations
  - Post-Assault Health Care
  - Pre-Natal Care
- Available at: <http://niwaplibrary.wcl.american.edu>
- Benefits map:  
[http://www.niwap.org/niwap\\_main/benefitsmap/](http://www.niwap.org/niwap_main/benefitsmap/)

Demographics
TANF
Health Care
Post-Assault Care
Pre-Natal Care
Emergency Medicaid

Forensic Exams
Child Care
Driver's Licenses
Food Programs
In-State Tuition
SSI
Energy/Weatherization

# NIWAP Health Care Map



## Washington

### Affordable Care Act Healthcare Exchanges

This state is operating its own exchange and exercises the state option by providing some immigrants federally-funded healthcare and/or some state-funded Medicaid or Medicaid-like coverage. Eligible individuals may apply at <https://www.wahealthplanfinder.org/>. For information on which immigrants qualify for subsidies under federal law, please see part B of the document found at <http://niwaplibrary.wcl.american.edu/public-benefits/public-benefits-tool-kit/part%20III.pdf/view>

### Federal Medicaid/SCHIP

Federally funded Medicaid and the Child Health Insurance Program (CHIP) are available to qualified immigrants who entered the United States before August 22, 1996. These programs are also available to immigrants who have had "qualified immigrant" status for five years or longer. Some immigrants are exempt from the five-year bar to Medicaid and CHIP. Although access to Medicaid and CHIP can be limited by deeming under state law, there are broad exceptions to deeming for battered immigrants.

### State-funded Medicaid/SCHIP

#### Qualified Immigrants

- Limited to: prenatal care; seniors and persons who are disabled may be eligible for a limited medical care services program; healthcare for children in households with income below 200% of the federal poverty level (FPL); if children live in households with income between 200-300% FPL, they must pay premiums.

Demographics

TANF

Health Care

Post-Assault Care

Pre-Natal Care

Emergency Medicaid

Forensic Exams

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Food Programs

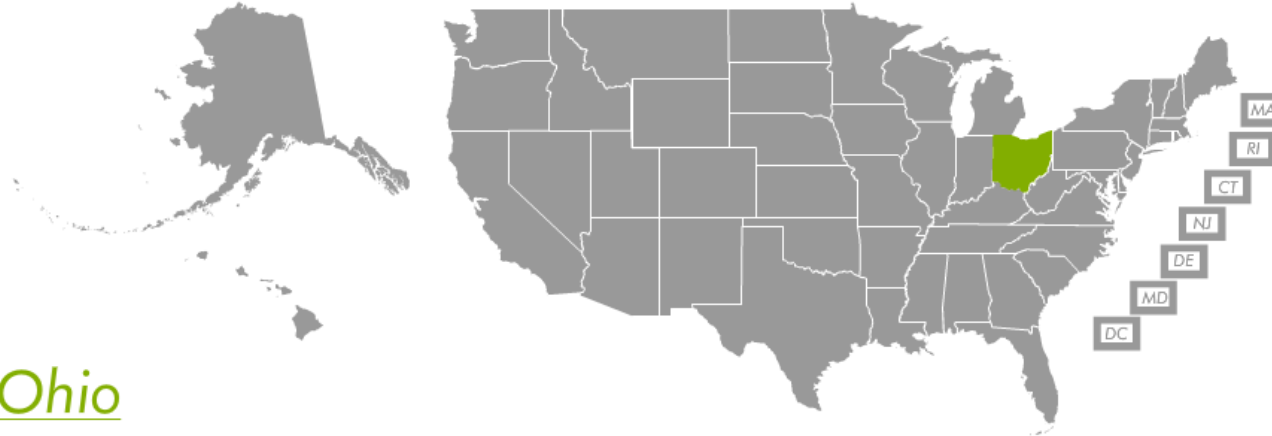
In-State Tuition

SSI

Energy/Weatherization

*If you have additional questions or need technical assistance on immigrant victim access to federal and state public benefits, contact NIWAP by e-mail at [info@niwap.org](mailto:info@niwap.org) or by phone at 202-274-4457.*

# NIWAP Post-Assault Health Care Map



## Ohio

The following briefly summarizes the provisions available to victims of sexual assault and other violent crimes in this state.

### Types/Mean of Coverage

OH's CVC compensates victims for the following expenses: medical, counseling, rehabilitation, loss of wages, replacement, crime scene cleanup, funeral and future economic support for dependents of a homicide victim. Medical personnel must provide information and options regarding emergency contraception in order to receive victim compensation from the state.

### Who Is Eligible for This Coverage

Qualified Immigrants - Yes

Non-Qualified Immigrants - Yes

Qualified immigrants include: (1) LPRs, including Amerasian immigrants; (2) refugees, asylees, persons granted withholding of deportation/removal, conditional entry, or paroled into the U.S. for at least one year; (3) Cuban/Haitian entrants; (4) certain victims of trafficking; and (4) battered spouses and children with a pending or approved (a) self-petition for an immigrant visa, or (b) immigrant visa filed for a spouse or child by a U.S. citizen or LPR, or (c) application for cancellation of removal/suspension of deportation, whose need for benefits has a substantial connection to the battery or cruelty. Parent/child of such battered child/spouse are also qualified.

Non-qualified immigrants include (1) undocumented immigrants; (2) U-visa holders; (3) other immigrants formerly considered "permanently residing under color of law" (PRUCOL); and (4) immigrants with temporary status such as tourists and students.

Demographics

TANF

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# NIWAP State TANF Replacement Map



## Tennessee

Families First

Eligibility: Qualified abused immigrants.

Demographics

**TANF**

Health Care

Post-Assault Care

Pre-Natal Care

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# Technical Assistance and Materials

- Power Point presentations and materials for this conference at [www.niwap.org/go/healthcare](http://www.niwap.org/go/healthcare)
- **NIWAP Technical Assistance:**
  - Call (202) 274-4457
  - E-mail [niwap@wcl.american.edu](mailto:niwap@wcl.american.edu)
- Web Library: [www.niwaplibrary.wcl.american.edu](http://www.niwaplibrary.wcl.american.edu)

# Questions



Thank you!