

# How Are Immigrants Included in Health Care Reform?

APRIL 2010\*

## NATURALIZED CITIZENS

Same access and requirements for affordable coverage as U.S.-born citizens

## LEGAL IMMIGRANTS

Limited federal coverage

- Subject to the individual mandate and related tax penalty (exempt if low-income or meet specific exemptions).
- Lawfully present immigrants may purchase from the state insurance exchanges.
- Lawfully present immigrants eligible for premium tax credits and cost-sharing reductions.
- Lawfully present immigrants eligible for temporary high-risk pools and “basic health plans” offered by a state.
- No waiting periods for enrolling in state insurance exchanges or premium tax credits.
- Maintains current federal immigrant eligibility restrictions in Medicaid, including the five-year-or-more waiting period for most lawfully residing, low-income immigrant adults.
- Since April 2009, states can choose to provide Medicaid and Children’s Health Insurance Program (CHIP) benefits to lawfully residing children and pregnant women regardless of their date of entry. But in states that do not elect this option, these children and pregnant women must still wait five years or more before they can get affordable health care coverage.
- Citizens of Compact Free Association states who reside in the U.S. remain ineligible for federal Medicaid.

## UNDOCUMENTED IMMIGRANTS

No federal coverage

- Not allowed to purchase private health insurance at full cost in state insurance exchange(s).
- Not eligible for premium tax credits or cost-sharing reductions.
- Exempt from individual mandate.
- Not eligible for Medicare, nonemergency Medicaid, or CHIP.
- Remain eligible for emergency care under federal law.

- Eligible for Emergency Medicaid if low-income.
- Children of undocumented parents:
  - Citizen or lawfully present immigrant children eligible to purchase from the state insurance exchanges (via child-only coverage).
  - Citizen or lawfully present immigrant children eligible for premium tax credits and reduced cost-sharing.
  - Citizen or lawfully residing immigrant children may be eligible for Medicaid or CHIP.
- May seek nonemergency health services at community health centers or safety-net hospitals.

## VERIFICATION REQUIREMENTS

- Verification required to buy private health insurance in the state exchanges:
  - Citizenship or lawful presence must be verified for everyone enrolling.
  - CITIZENS: Proof of citizenship will be verified by Social Security Administration (SSA).
  - LEGAL IMMIGRANTS: Proof of legal status will be verified by U.S. Dept. of Homeland Security (DHS).
  - If the information cannot be electronically verified by SSA and/or DHS, enrollees have an opportunity to provide other documents or to fix the records.
- Verification in Medicaid and other public health programs
  - Maintains existing verification requirements for citizens and legal immigrants:
    - CITIZENS: 2005 documentation of citizenship/identity requirements; state option to verify via SSA under the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA).
    - LEGAL IMMIGRANTS: SAVE.\*\*

\* This explanation of how immigrants are included in health care reform is per provisions in the Patient Protection and Affordable Care Act (Pub. Law No. 111-148) as amended by the Health Care and Education Act of 2010 (Pub. Law No. 111-152).

\*\* Systematic Alien Verification for Entitlements, the U.S. Citizenship and Immigration Services’ (USCIS’s) system for verifying immigrant eligibility for benefit programs. (USCIS is a division of the U.S. Dept. of Homeland Security (DHS).)



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