

## IMMIGRANTS IN NORTH CAROLINA AND THE AFFORDABLE CARE ACT

### What is the Affordable Care Act?

On October 1, 2013 the Affordable Care Act opened a new online health insurance marketplace (exchange) in NC. In the new NC Health Marketplace, plans will cover what you need: doctor and hospital visits, maternity care, emergency, hospitalizations, prescriptions and more. **Financial help** is available for many people so plans will fit your budget. You cannot be denied or charged more for a pre-existing health condition.

### If I am an immigrant, do I qualify to purchase health insurance on the exchange?

Many different categories of legally-present immigrants will qualify to purchase health insurance in the Marketplace. This includes many categories of immigrants who are *not* eligible for Medicaid or other public benefits. These immigrants *will* also qualify for financial help to purchase insurance.

*Some* categories of immigrants who are eligible to purchase insurance in the Marketplace include:

<ul style="list-style-type: none"> <li>• Naturalized citizens</li> <li>• Lawful Permanent Residents (LPR/Green Card holder)</li> <li>• Asylees</li> <li>• Refugees</li> <li>• Cuban/Haitian Entrants</li> <li>• Paroled into the U.S.</li> <li>• Battered Spouses, Children and Parents (VAWA)</li> <li>• Victims of Trafficking and their Spouses, Children, Siblings or Parents</li> <li>• Granted Withholding of Deportation or Withholding of Removal</li> </ul>	<ul style="list-style-type: none"> <li>• Individuals with non-immigrant Status. Includes:               <ul style="list-style-type: none"> <li>○ worker visas (including H-2A, H-2B, H-1B, etc.)</li> <li>○ student visas</li> <li>○ “U” visa holders</li> </ul> </li> <li>• Temporary Protected Status (TPS)</li> <li>• Deferred Enforced Departure (DED)</li> <li>• Deferred Action Status (but <i>not</i> DACA holders)</li> <li>• Administrative order staying removal issued by the Department of Homeland Security</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Applicants</i> for asylum, Special Immigrant Juvenile Status, trafficking visas, adjustment to LPR, or withholding of removal.</li> <li>• Anyone with <i>work authorization</i> who: is a registry applicant, has an order of supervision, has applied for cancellation of removal, or is an applicant for legalization under IRCA or the LIFE Act</li> </ul>
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There are more categories of immigrants who may qualify. If you want to know if your immigration status qualifies you to purchase insurance in the Marketplace and to receive financial help to purchase insurance, please call Kate Woome-Deters at the NC Justice Center at 919-861-2072 or visit [www.healthcare.gov](http://www.healthcare.gov).

### Are undocumented immigrants or those with “DACA” eligible to purchase insurance on the exchanges?

No. Neither undocumented immigrants nor those immigrants granted “Deferred Action for Childhood Arrivals,” (DACA) are eligible to purchase insurance in the Marketplace. However, these same immigrants are eligible for an exemption from the individual mandate to purchase insurance coverage, and they must apply for that exemption when they complete their tax returns. If they complete the exemption, they will *not* be penalized for failing to purchase coverage.

## **Is information on the Affordable Care Act available in my language?**

Yes. You can receive free, expert information on the ACA, just call **1-800-318-2596**, and they can connect you to interpreters who speak your language. After **October 14**, a North Carolina hotline will be available at **1-855-733-3711**, with assistance available in Spanish and telephone interpretation in 150 other languages. The government website, [www.healthcare.gov](http://www.healthcare.gov), is also available in Spanish at <https://www.cuidadodesalud.gov/es/>, and information is available in many other languages, including Chinese, Vietnamese, Haitian Creole, and more: <https://www.healthcare.gov/language-resource/>.

## **If I am undocumented, will my immigration status be shared if I help someone else in my family apply for insurance?**

No. If you are ineligible for insurance because of your immigration status, you may still help someone else in your family with the application process if he/she *is* eligible. If you don't have a social security number and are not applying for yourself, you are not required to provide a social security number. If you are not applying for yourself, leave any questions asking for your social security number blank. Also, anyone helping you or your family members enroll in an insurance plan through the marketplace must keep your information confidential. **Your information will NOT be shared with Immigration and Customs Enforcement or used for any reason other than determining eligibility for health insurance plans and financial assistance.**

## **If I apply for government financial help with my insurance payments, will this hurt my chance at receiving a green card?**

No. Many immigrants have heard of the "public charge" rule stating that those who have used some government public benefits may not qualify for a green card. This rule does NOT APPLY to purchase of insurance in the Marketplace, or receiving government subsidies for purchase of insurance. Receiving financial help to purchase insurance will NOT affect your application for a green card.

## **What if I have problems proving my identity or income when applying for insurance?**

Rules are in place to help immigrants and mixed-status immigrant families apply for coverage:

- Foreign government identification is acceptable for proving your identity
- You may use an income tax return filed under an ITIN number to prove your income
- If you have not filed taxes before, the marketplace must be flexible in considering different types of paper documents to prove your household income when applying for financial help

## **What if I am low-income and can't afford insurance?**

Subsidies and tax credits are available that will reduce the cost of purchasing insurance. Also, individuals who are very low-income or for whom purchase of insurance would exceed 8% of their income are not required to purchase insurance in the Marketplace. Certain immigrants may qualify to enroll in Medicaid (especially pregnant women and children under 19) but the eligibility categories are more limited than those listed above.

**If you encounter problems related to your *immigration status, identification documents, or income verification* when applying for insurance for YOURSELF or a FAMILY MEMBER, please contact Kate Woome-Deters at the North Carolina Justice Center, 919-861-2072.**

**Se habla español.**