

Eligibility for Health Insurance For Immigrants and Their Families

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*Presentation adapted from an earlier version developed in partnership with the
Center on Budget and Policy Priorities*

Roadmap

1. Immigrant Eligibility for Medicaid, CHIP and the Health Insurance Marketplace
2. Common Immigration Documents
3. Challenges for Families That Include Immigrants and Tips
4. Rights and Tools for Limited English Proficient Individuals

Part I:

IMMIGRANT ELIGIBILITY FOR MEDICAID, CHIP AND THE HEALTH INSURANCE MARKETPLACE

MEDICAID, CHIP AND MARKETPLACE ELIGIBILITY FOR IMMIGRANTS

Many of these eligibility slides were made in partnership with the National Immigration Law Center and The Center on Budget and Policy Priorities

- “Qualified” Immigrants for Medicaid and CHIP
- “Lawfully Present” immigrants for the Marketplace, APTC, CSR
- “Lawfully Residing” = Lawfully Present + Residency
- Health Coverage for All

General Immigrant Eligibility Rules for Medicaid and CHIP

Under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, the following groups may be eligible for Medicaid and CHIP:

"Qualified" immigrants who entered the U.S. before 8/22/96

"Qualified" immigrants who entered on or after 8/22/96 who reach the end of a 5-year waiting period

For example:

- Lawful permanent residents (LPRs or "green card" holders)

"Qualified" immigrants exempt from the 5-year waiting period

For example:

- Refugees
- Asylees
- Cuban/Haitian entrants
- Trafficking survivors
- Veteran families

NOTE: Immigrants who do not meet these immigrant eligibility rules (i.e. "qualified" immigrants in the 5-year bar and "not qualified" immigrants) may be eligible for Medicaid payment of limited emergency services (Emergency Medical Assistance or EMA) if they otherwise meet all Medicaid eligibility standards

“Qualified” Immigrants for Medicaid and CHIP

“Qualified” Immigrants

Categories defined by statute; many of these, as well as others, are exempt from the 5-year bar—please see next slide

- Lawful Permanent Residents (LPRs/green card holders)
- Refugees
- Asylees
- Cuban/Haitian entrants
- Persons who were paroled into the U.S. for more than a year
- Conditional entrants
- Persons granted withholding of deportation/removal
- Certain domestic violence and trafficking survivors and their derivatives
- Member of a federally-recognized Indian tribe or American Indian Born in Canada

Five-Year Waiting Period for Medicaid & CHIP

Many “qualified” immigrants are subject to a five-year waiting period (also known as “the five-year bar”)

Some people with a “qualified” immigration status are not subject to the five-year bar:

- The five years begin when an immigrant obtains a “qualified” immigration status
- Immigrants who physically entered the U.S. before 8/22/96 and remained in the U.S. continuously until obtaining a qualified status
- Refugees, asylees, persons granted withholding of deportation/removal (even if they later become LPRs)
- Cuban/Haitian entrants, certain Amerasian immigrants, individuals granted Iraqi or Afghan special immigrant status, trafficking survivors (even if they later become LPRs)
- Qualified immigrants who are U.S. veterans or on active military duty and their spouses or children
- Children (at state option)
- Pregnant women (at state option)

State Flexibility to Vary from the General Eligibility Rules

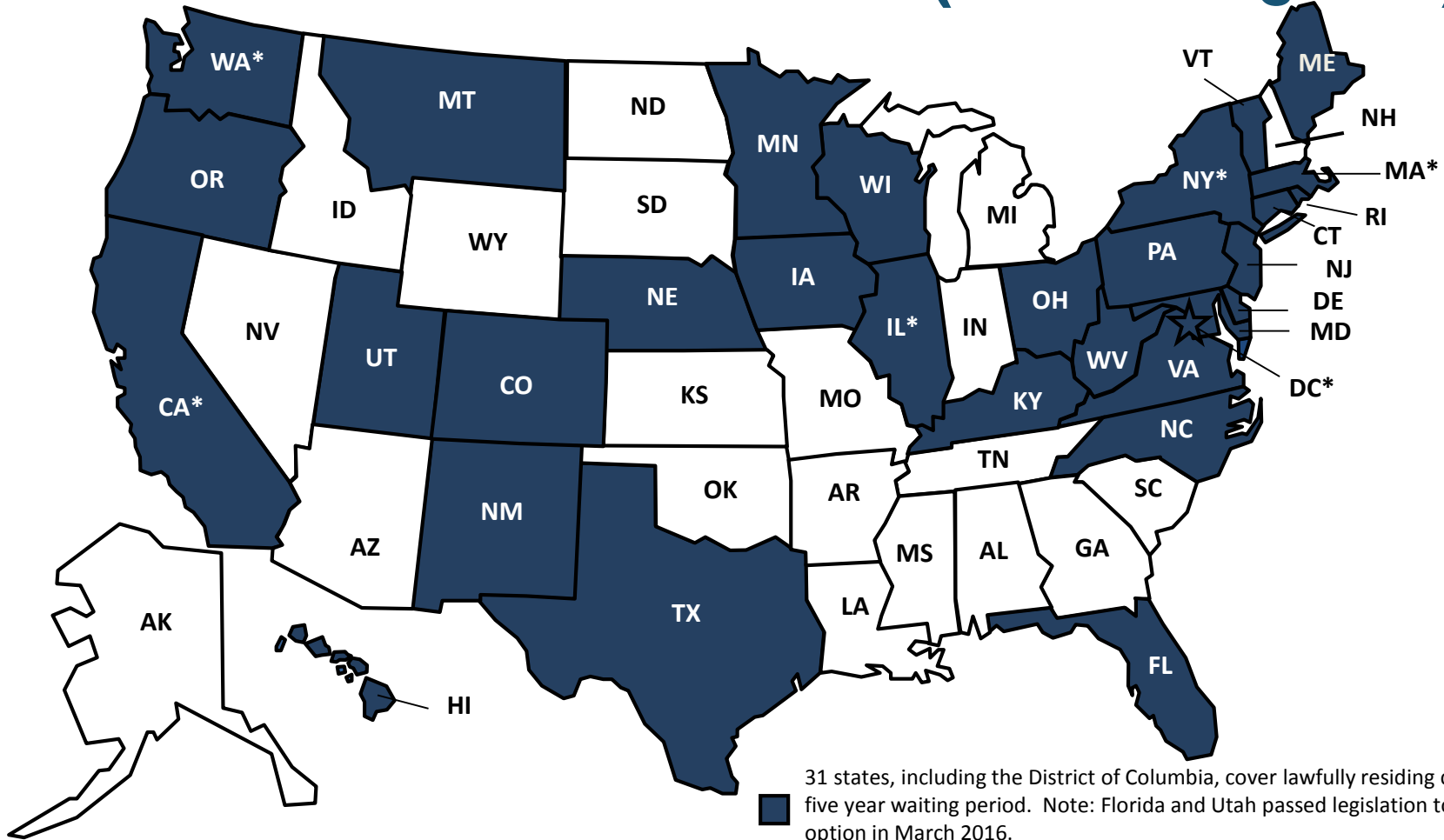
Federal Medicaid/CHIP Options

- CHIPRA 2009 gave states the option to cover children and/or pregnant women:
 - ✓ Who are lawfully residing (lawfully present + state residency) and otherwise eligible
 - ✓ Without a 5-year waiting period
 - ✓ Regardless of date of entry into the U.S.
- Through CHIP, states can also opt to provide certain medical services to pregnant women (including prenatal care), regardless of immigration status, if they are not otherwise eligible for Medicaid

State-Funded Options

- States can cover additional immigrants with state-only funds

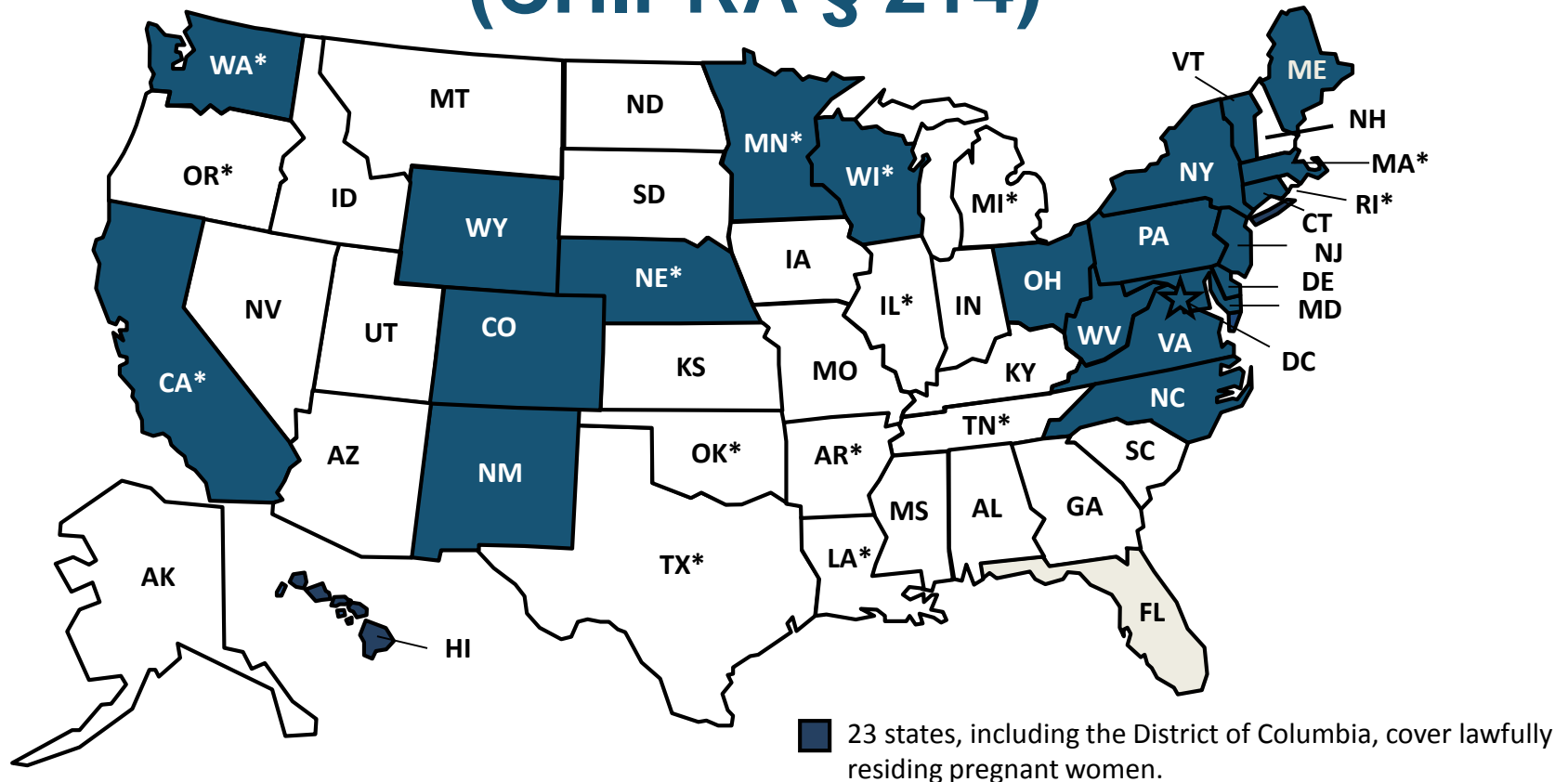
Medicaid/ CHIP for Lawfully Residing Children Without the 5-Year Wait (CHIPRA § 214)



31 states, including the District of Columbia, cover lawfully residing children in the five year waiting period. Note: Florida and Utah passed legislation to take up this option in March 2016.

Note: 6 states, including the District of Columbia that provide coverage to all children regardless of immigration status, are indicated with a *.

Medicaid/ CHIP for Lawfully Residing Pregnant Women without the 5-Year Wait (CHIPRA § 214)



Note: 15 states that provide coverage through CHIP “unborn child” option are indicated with an *

SOURCE: Georgetown Center for Children and Families and Kaiser Family Foundation's Commission on Medicaid and the Uninsured, "Medicaid and CHIP Eligibility, Enrollment, Renewal and Cost-Sharing Policies as of January 2016: Findings from a 50 State Survey" (January 2016).

Immigration Categories Eligible for Marketplace Coverage

“Qualified” Immigrants:	Other “Lawfully Present” Immigrants:
<ul style="list-style-type: none"> • Lawful Permanent Resident (LPR/green card holder) • Refugee • Asylee • Cuban/Haitian Entrant • Paroled into the U.S. for at least one year • Conditional Entrant • Granted Withholding of Deportation or Withholding of Removal • Battered Spouse, Child and Parent • Trafficking Survivor and his/her Spouse, Child, Sibling or Parent <p>Others:</p> <ul style="list-style-type: none"> • Member of a federally-recognized Indian tribe or American Indian Born in Canada 	<ul style="list-style-type: none"> • Granted relief under the Convention Against Torture (CAT) • Temporary Protected Status (TPS) • Deferred Enforced Departure (DED) • Deferred Action (except DACA)* • Paroled into the US for less than one year • Certain individuals with Nonimmigrant Status (includes worker visas; student visas; U visas; citizens of Micronesia, the Marshall Islands, and Palau; and many others) • Administrative order staying removal issued by the Department of Homeland Security • Lawful Temporary Resident • Family Unity

*EXCEPTION: Individuals granted deferred action under the 2012 Deferred Action for Childhood Arrivals (DACA) program are not eligible to enroll in coverage in the Marketplace.

See National Immigration Law Center, “Lawfully present” individuals under the Affordable Care Act, <https://www.nilc.org/issues/health-care/lawfullypresent/>

Immigration Categories Eligible for Marketplace Coverage

APPLICANT for Any of These Statuses:	Must Also Have Employment Authorization:
<ul style="list-style-type: none"> • Lawful Permanent Resident (with an approved visa petition) • Asylum* • Special Immigrant Juvenile Status • Victim of Trafficking Visa • Withholding of deportation or withholding of removal, under the immigration laws or under the Convention Against Torture (CAT)* 	<ul style="list-style-type: none"> • Applicant for Temporary Protected Status • Registry Applicants • Order of Supervision • Applicant for Cancellation of Removal or Suspension of Deportation • Applicant for Legalization under IRCA • Applicant for LPR under the LIFE Act
<p>*Only those who have been granted employment authorization or are under the age of 14 and have had an application pending for at least 180 days are eligible</p>	

See National Immigration Law Center, “Lawfully present” individuals under the Affordable Care Act, <https://www.nilc.org/issues/health-care/lawfullypresent/>

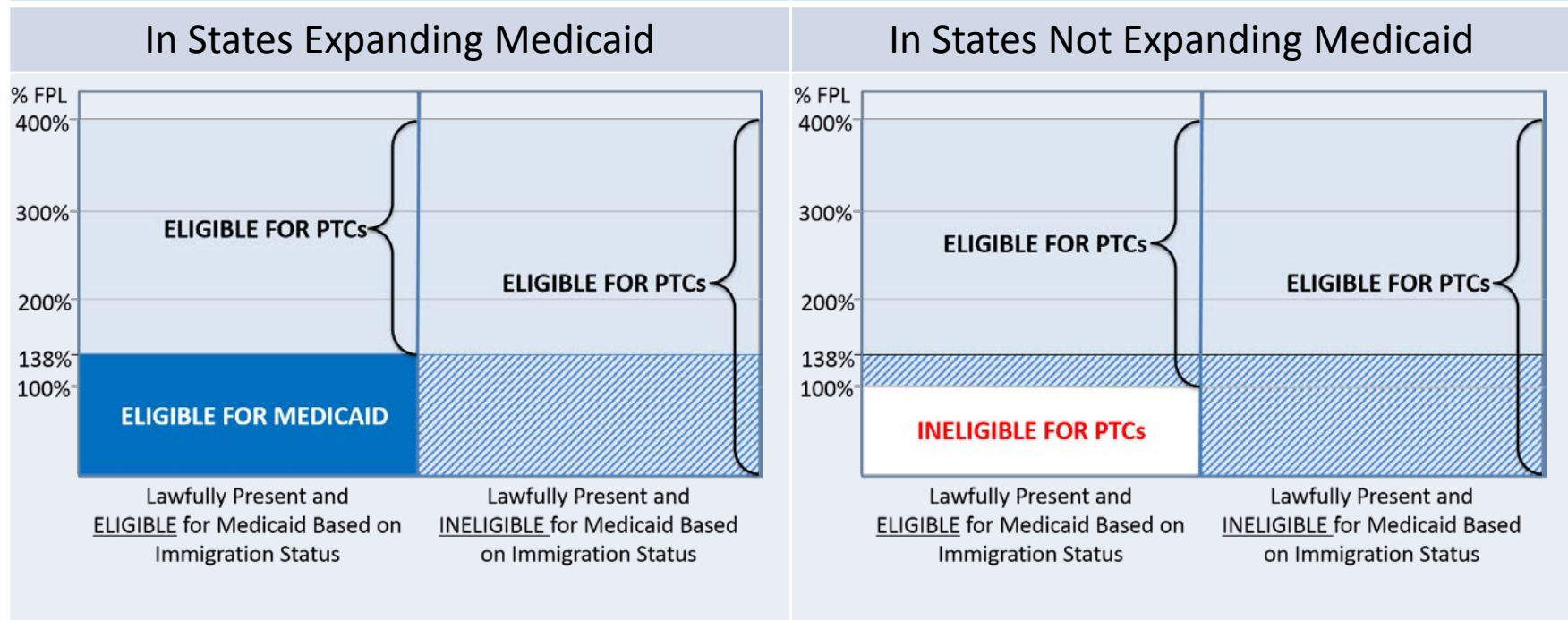
State Residency

- In general, for QHP enrollment and Medicaid/CHIP, residency is the state in which an individual lives and:
 - Intends to reside, including without a fixed address; or
 - Has entered with a job commitment or is seeking employment (whether or not currently employed)
- To verify residency, Marketplaces:
 - Can accept self-attestation
 - Can use HHS approved electronic sources to the extent that they exist
 - Evidence of immigration status can't be used



Premium Tax Credit Eligibility for Lawfully Present Adults

Coverage Landscape for Families that Include Immigrants



Compact of Free Association (COFA) Migrants

- COFA – Compact with the Federated States of Micronesia, Republic of Marshall Islands, and Republic of Palau
 - Can freely travel to US without a visa or time restraints
 - They are “non-immigrants” for purposes of health care
 - Largest numbers live in Hawaii, Guam, California, Washington, but sizable population in Arkansas too
- COFA migrants excluded from “qualified immigrants” category and ineligible for Medicaid
- COFA migrants are considered lawfully present
 - Eligible to purchase on the marketplace coverage, APTC, CSR
 - Children/pregnant women eligible for Medicaid/ CHIP in CHIPRA § 214 states – if residing and meet other requirements

Undocumented & “DACAmended”

- **Ineligible to purchase qualified health plans in the individual Marketplaces, even at full price**
 - Can purchase private coverage outside the Marketplace or through employer.
 - May be asked repeatedly by insurance company for SSN – but do not have to provide one if do not have one.
 - Can apply for health insurance for eligible family members, and be part of household of eligible family members
- **Exempt from the individual mandate as “exempt non-citizens,” along with individuals who are “non-resident aliens” under tax law**
 - If applying for premium tax credits on behalf of eligible family members, must file a tax return.
 - If not eligible for a Social Security number (SSN), may file a tax return using an Individual Taxpayer Identification Number (ITIN)

Eligible for
Health
Coverage
Programs
Available to
All

Health Programs Available to All

Emergency-Only Medicaid

- Medicaid payment for limited services related to an emergency medical condition is available to people who meet all the state's Medicaid eligibility requirements except for immigration status, including:
 - ✓ Qualified immigrants who have not met the five-year waiting period
 - ✓ Lawfully present but not qualified immigrants, such as nonimmigrant visa holders (e.g. students, temporary workers, etc.), Temporary Protected Status (TPS) and many others
 - ✓ Undocumented immigrants
 - ✓ DACAmented immigrants

Other programs available to ALL:

- Programs using federal health care block grants: mental health, maternal and child health, family planning, communicable diseases, immunizations
- Programs providing health services necessary to protect life or safety: emergency medical, food or shelter, mental health crisis, domestic violence, crime victim assistance, disaster relief
- Hospital financial assistance programs or charity care
- Community Health Centers/FQHCs, Migrant Health Centers

Part II:

COMMON IMMIGRATION DOCUMENTS

Documentation of Immigration Status

- Immigration status (and citizenship for many naturalized citizens) is verified by the U.S. Department of Homeland Security.
- An eligible immigrant may have several different documents proving their immigration status; only one is needed
- Under federal rules, an alien registration number (A#) alone may also be used to verify immigration status
- A few common immigration documents
 - Permanent Resident Card (“Green Card,” Form I-551)
 - Employment Authorization Document (EAD, “work permit,” I-766, I-688B)
 - Arrival/Departure Record (I-94, I-94A)
 - Notice of Action (I-797)
 - Refugee travel document (I-571)

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[illegible]

Employment Authorization Card (I-766)

Lawful Permanent Resident / "Green Card"	Employment Authorization Card	Refugee
	<p>Alien Registration Number</p> <p>Card Number</p> <p>Category Code</p> <p>Expiration Date</p>	

Arrival/Departure Record and Notice of Action

Arrival/Departure Record: I-94, I-94A, I-94 in foreign passport

- I-94 number found on a customs form

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection CBP No. 1403-0032

Admission Number: *Welcome to the United States*

6-Month Arrival/Departure Record - Instructions
This form must be completed by all persons except U.S. Citizens, U.S. Nationals, and lawful permanent residents. It must be completed by the U.S. Customs and Border Protection Officer (CBPO) at the port of entry. This form is the property of the U.S. Customs and Border Protection. It is to be retained by the CBPO for 10 years. If you are entering the United States by air, you must retain this form for 10 years. If you are entering the United States by land or sea, you must retain this form for 10 years. If you are entering the United States by air, you must retain this form for 10 years. If you are entering the United States by land or sea, you must retain this form for 10 years.

Departure Number: 0988 No. 1651-0111

626633123 12

**I-94
Departure Record**

14. Family Name: **SAMPLE**
15. First (Given) Name: **JANE**
16. Birth Date (Day/Mo/Yr): **23/03/68**
17. Country of Citizenship: **NEW ZEALAND**

CBP Form I-94 (10/04)
STAPLE HERE

See Other Side

I-94 Number

Notice of Action: I-797

- Notices of action are issued by the US Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) for different purposes.
- Most I-797s will have either an I-94 number or an A#.

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797A, Notice of Action

THE UNITED STATES OF AMERICA

Form I-797 (Rev. 03-01-2004)

1. Receipt Number: **118-00-000000**
2. Date of Issuance: **May 12, 2006**
3. Date of Expiration: **May 24, 2006**
4. Class: **AD**
5. Category: **AD**
6. Subcategory: **AD**
7. Status: **AD**
8. Remarks: **AD**

1. Family Name: **SAMPLE**
2. First (Given) Name: **JANE**
3. Birth Date (Day/Mo/Yr): **23/03/68**
4. Country of Citizenship: **NEW ZEALAND**

5. Notice of Action Type: **Approval Notice**
6. Class: **AD**
7. Valid From: **05/21/2006** to **05/21/2006**

8. Notice of Action Number: **626633123 12**

9. Notice of Action Date: **May 12, 2006**

10. Notice of Action Location: **AD**

11. Notice of Action Remarks: **AD**

12. Notice of Action Status: **AD**

13. Notice of Action Subcategory: **AD**

14. Notice of Action Substatus: **AD**

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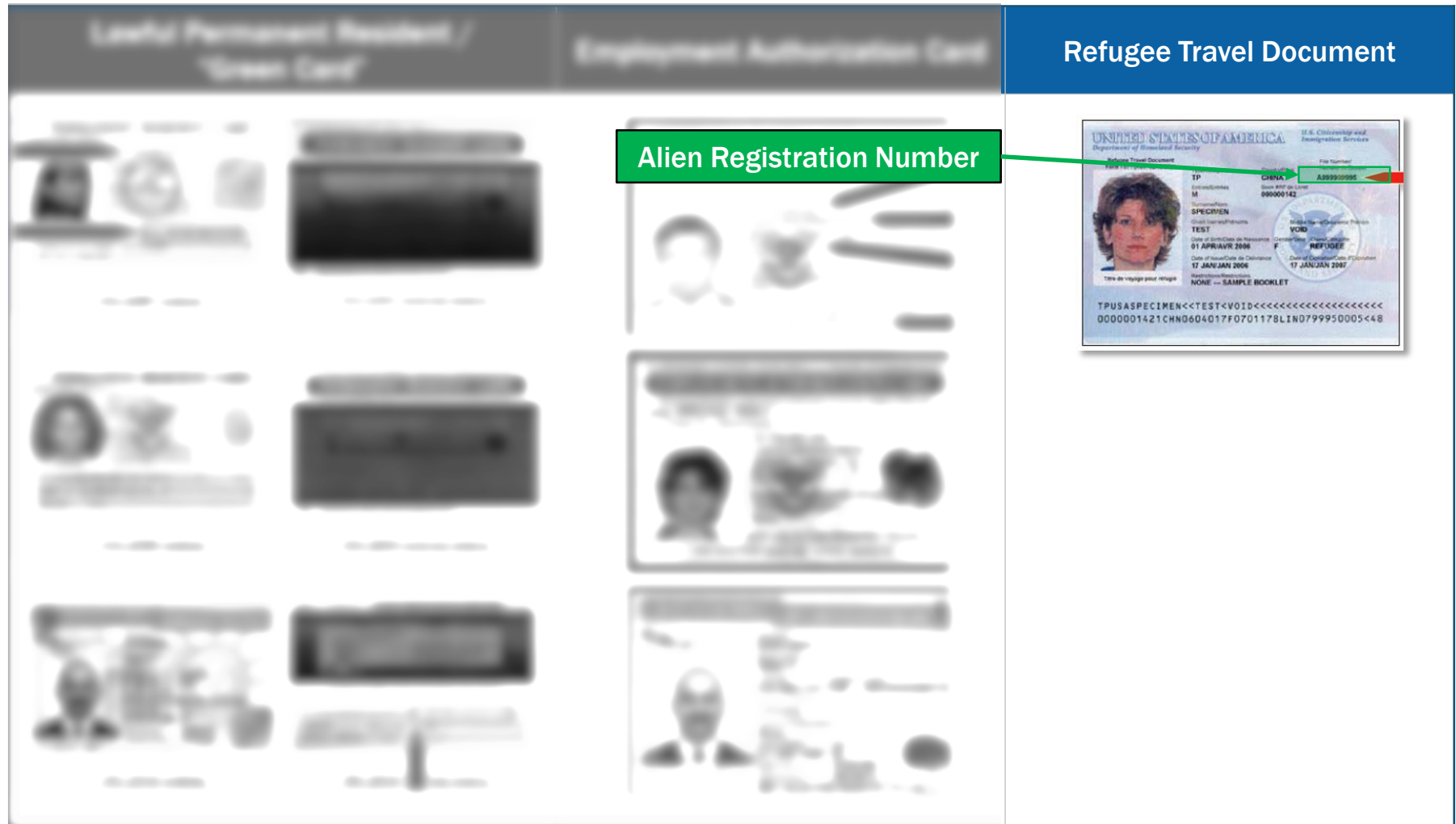
97. Notice of Action Substatus: **AD**

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100. Notice of Action Substatus: **AD**

Refugee Travel Document (I-571)



Certificate of Eligibility for Nonimmigrant Student Status – I-20

DEPARTMENT OF HOMELAND SECURITY
**CERTIFICATE OF ELIGIBILITY FOR NONIMMIGRANT (F-1) STUDENT
 STATUS - FOR ACADEMIC AND LANGUAGE STUDENTS**

Page 1
 OMB NO. 1653-0038
 Expires 02/28/2011

Please read instructions on Page 2.
 This page must be completed and signed in the United States by a designated school official.

1. Family Name (Surname):

First (given) Name:	
Middle Name:	
Country of birth:	Date of birth (month/year):
Country of citizenship:	Admission number:

2. School (School district) name:

School Official to be notified of student's arrival in U.S. (Name and Title):

School address (include ZIP code):

School code (including 3-digit prefix, if any) and approval date:

3. This certificate is issued to the student named above for:

4. Level of education the student is pursuing or will pursue in the United States:

5. The student named above has been accepted for a full course of study at this school, majoring in:
 The student is expected to report to the school no later than _____ months. The school length of study is _____ months.

6. English proficiency:

7. This school estimates the student's average costs for an academic term of _____ (up to 12) months to be:

a. Tuition and fees	\$ _____
b. Living expenses	\$ _____
c. Expenses of dependents ()	\$ _____
d. Other (specify):	\$ _____
Total	\$ _____

8. This school has information showing the following as the student's means of support, estimated for an academic term of _____ months (Use the same number of months given in item 7).

a. Student's personal funds	\$ _____
b. Funds from this school	\$ _____
Specify type: _____	
c. Funds from another source	\$ _____
Specify type: _____	
d. On-campus employment	\$ _____
Total	\$ _____

9. Remarks:

10. School Certification: I certify under penalty of perjury that all information provided above in items 1 through 9 was completed before I signed this form and is true and correct; I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form; the school has determined that the above named student's qualifications meet all standards for admission to the school; the student will be required to pursue a full course of study as defined by 8 CFR 214.2(g)(6); I am a designated official of the above named school and am authorized to issue this form.

11. Student Certification: I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay as specified on page 2. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that I seek to enter or remain in the United States temporarily, and solely for the purpose of pursuing a full course of study at the school named on page 1 of this form. I also authorize the named school to release any information from my records which is needed by DHS pursuant to 8 CFR 214.3(g) to determine my nonimmigrant status.

Name of School Official: _____ Signature of Designated School Official: _____ Title: _____ Date Issued: _____ Place Issued (city and state): _____

Name of Student: _____ Signature of Student: _____ Date: _____

Name of parent or guardian (if resident in U.S.): _____ Signature of parent or guardian: _____ Address (city): _____ (State or Province) (Country): _____ (Date): _____

DHS Form I-20 A-B (09/10)

For Official Use Only
 Microfilm Index Number


SEVIS ID

Certificate of Eligibility for Exchange Visitor Status (J visa)

U.S. Department of State

OMB APPROVAL NO.1405-0119
EXPIRES: 02-28-2005
ESTIMATED BURDEN TIME: 45 min
*See Page 2

CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR(J-1) STATUS

1. Family Name: Wang		First Name: David		Middle Name:		Gender: MALE	N0001234567 SEVIS ID J-1 
Date of Birth(mm-dd-yyyy): 04/01/1970	City of Birth: Taipei	Country of Birth: TAIWAN	Citizenship Country Code: TW	Citizenship Country: TAIWAN			
Legal Permanent Residence Country Code: TW	Legal Permanent Residence Country: TAIWAN	Position Code: 213	Position: UNIVERSITY TEACHING STAFF INCI				
U.S. Address: College of Engineering 1111 Washington BLVD. New York, NY 12345							
2. Program Sponsor: Happy University							

Exchange Visitor Pr
P-1-1

SEVIS ID

Part III:

CHALLENGES FOR FAMILIES THAT INCLUDE IMMIGRANTS & TIPS

Know Your Rights: Health Care for Immigrants

- There are strong privacy protections in place for individuals applying for health care programs. Information provided for Medicaid, CHIP, and the Marketplaces, may only be used to determine an individual's eligibility for a program – not for immigration enforcement purposes
- Hospitals, community health centers, and other medical facilities are considered “sensitive locations” meaning that immigration officers are not allowed to patrol or enter without a warrant or consent*
- No one can be denied medical care due to their immigration status
 - No hospital, doctor, or medical provider should require anyone to declare their immigration status as a condition for the person to get health care.
 - No one, regardless of immigration status or ability to pay, can be refused life-saving treatment and services
 - Providers may ask for photo ID but not for purposes of immigration enforcement. A photo ID should also not be required for treatment

Know Your Rights: Health Care for Immigrants

- **The doctor-patient relationship is protected under law**
 - Health care workers do not have a federal duty to report anyone to immigration enforcement
 - Providers are bound by privacy laws and generally any information that a patient provides (including demographic information) can only be disclosed for purposes of providing care or obtaining payment, or if the patient authorizes it. There is no exception related to immigration status or even “criminal activity”
 - Privacy protections apply to anyone working at a hospital or clinic, including nurses and clerical staff
- **Patients, regardless of their immigration status, have a right to ask for an interpreter at a hospital or community health center, at no cost, if they need one.**

Immigration Enforcement: It's Safe to Apply

- *Q: If I apply for health insurance, will government find out that my family member is undocumented? Will they be reported to immigration authorities?*
 - The ACA includes strong privacy protections for personally identifiable information; written to encourage participation of eligible individuals in mixed-status immigrant families.
 - Agencies can only collect, use, and disclose information that is necessary for enrollment in health coverage.
 - The U.S. Department of Homeland Security or U.S. Immigration and Customs Enforcement (DHS/ICE) has issued guidance that information about applicants/household obtained for health insurance eligibility will not be used for civil immigration enforcement purposes.

Clarification of Existing Practices Related to Certain Health Care Information

English: <http://www.ice.gov/doclib/ero-outreach/pdf/ice-aca-memo.pdf>

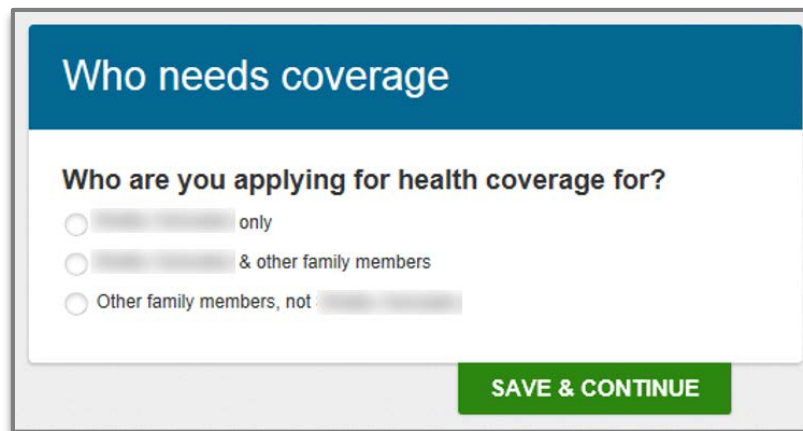
Spanish: <http://www.ice.gov/espanol/factsheets/aca-memoSP.htm>

Concern about Privacy and Confidentiality

- *Q: Will someone helping my family apply for health insurance share information about my family member's immigration status?*
 - The Marketplaces, Medicaid, and CHIP agencies must require their employees and contractors to follow robust rules protecting privacy.
 - Contractors include
 - QHP issuers
 - Navigators
 - Certified application counselors
 - Agents
 - Brokers
 - Call center representatives

Protections for Non-Applicants

- *Q: Can I apply for health insurance for other members of my family and not provide information about my own immigration status?*
 - All applications should allow households to designate individuals as non-applicants



The screenshot shows a web form titled "Who needs coverage" in a blue header. Below the header, the question "Who are you applying for health coverage for?" is displayed. There are three radio button options: "only" (with a blurred name), "& other family members" (with a blurred name), and "Other family members, not" (with a blurred name). A green button labeled "SAVE & CONTINUE" is located at the bottom right of the form.

- Important protections for non-applicants:
 - Should not be asked to disclose citizenship/immigration status.
 - Must only provide information that is relevant to the eligibility determination such as income and tax filing status, but generally cannot be required to provide information not relevant to the eligibility determination

Requests for Social Security Numbers: *Applicants*

Medicaid and CHIP

SSNs are generally required of Medicaid applicants

- Coverage cannot be denied or delayed pending issuance or verification of SSN
- Medicaid agencies must help individuals apply for an SSN if they are eligible and don't have one, or if they don't know their SSN

Some applicants do not have to provide Social Security numbers (SSN), including:

- Newborns in process of obtaining an SSN
- Persons who have a religious objection
- Certain lawfully present immigrants who are not eligible for an SSN or can only get an SSN for a non-work purpose such as certain domestic violence survivors, trafficking survivors, asylum applicants, and others

Marketplace

Only applicants who have an SSN are required to provide one.

General Rules About Requests for SSNs

Applicants must be notified about:

- Whether providing their SSN is required or optional
- Why they are being asked for their SSN
- How their SSN will be used

Requests for Social Security Numbers: *Non-Applicants*


Medicaid and CHIP

Non-applicant household members do not have to provide an SSN for Medicaid and CHIP.

Marketplace

Non-applicant household members should not be required to provide an SSN unless **ALL** of the following are true:

- ✓ They have a spouse or tax dependent seeking premium tax credit eligibility
- ✓ The non-applicant is a tax filer
- ✓ The non-applicant has a SSN
- ✓ They filed a federal tax return in the 2014 tax year



However, providing an SSN, when available, may increase the likelihood that application information can be verified electronically.

- People who are not eligible for SSNs may use Individual Taxpayer Identification Numbers (ITINs) to file taxes, but health insurance affordability program applications should not request ITINs.

Concern About Public Charge

- *Q: If I or my family member applies for Medicaid or for help with costs of coverage, will immigration authorities deny our application for a green card (LPR) or citizenship?*
 - “Public charge” is a term used by U.S. immigration officials to refer to a person who is considered primarily dependent on the government for subsistence (cash assistance) or long-term care at government expense.
 - Generally, Medicaid, CHIP, and tax credits are not considered in screening green card applicants (applicants to adjust to lawful permanent resident status/LPR) for public charge.
 - Exception: Medicaid assistance for long-term institutional care—such as a nursing home or mental health institution—may be considered a factor in establishing public charge.
 - Public charge is not applicable when applying for citizenship.

Concern About the Effect on Sponsors (Sponsor Liability)

- *Q: Will enrolling in Medicaid/CHIP/ ACA plan make my sponsor liable for the cost of my coverage?*
 - Sponsors are not liable for Medicaid or CHIP coverage of lawfully present children or pregnant women
 - Sponsors are not liable for a sponsored immigrant's premium tax credit

Tips For Talking About Immigration Status

- Do not ask non-applicants to disclose immigration status
- Use broad questions and share general information about immigrant eligibility to help consumers identify who may want to apply for insurance
- Provide other welcoming messages early in your conversation
- When asking questions about immigration and citizenship status of applicants:
 - Avoid asking if individuals are “undocumented” or “not lawfully present”
 - Instead use words like “eligible immigrant,” “eligible immigration status” or “ineligible”

For Example:

“The Marketplace provides coverage to citizens and noncitizens who are lawfully present. Here’s a list of immigration statuses considered lawfully present.”

“We keep your information private and safe. The application asks for some information about everyone in your family, but only a family member seeking coverage for him or herself has to answer questions about immigration or citizenship.”

Tips on Citizenship/ Immigration Status Data-Matching Problems

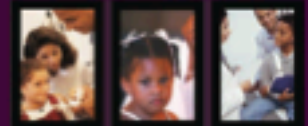
- Why might data matching be unsuccessful?
 - Incorrect submission of Social Security Number (or no # provided)
 - Name provided in application does not match what is in SSA or Department of Homeland Security's online system
 - Data matching limitations (SSA cannot verify citizenship for many foreign born citizens, or DHS's system cannot immediately verify citizenship for some naturalized or derived citizens)
 - Some applicants may not have document numbers available
- What is the Inconsistency Process?
 - When information provided by the consumer does not match up with information that the Marketplace accesses to verify eligibility factors
 - Its an important consumer protection in the law allowing applicant to complete application, receive eligibility determination and enroll in a plan pending further verification of information
 - Applicants have 95 days to provide additional documentation to resolve data matching problems

Part IV:

RIGHTS AND TOOLS FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

Limited English Proficient (LEP) in the US

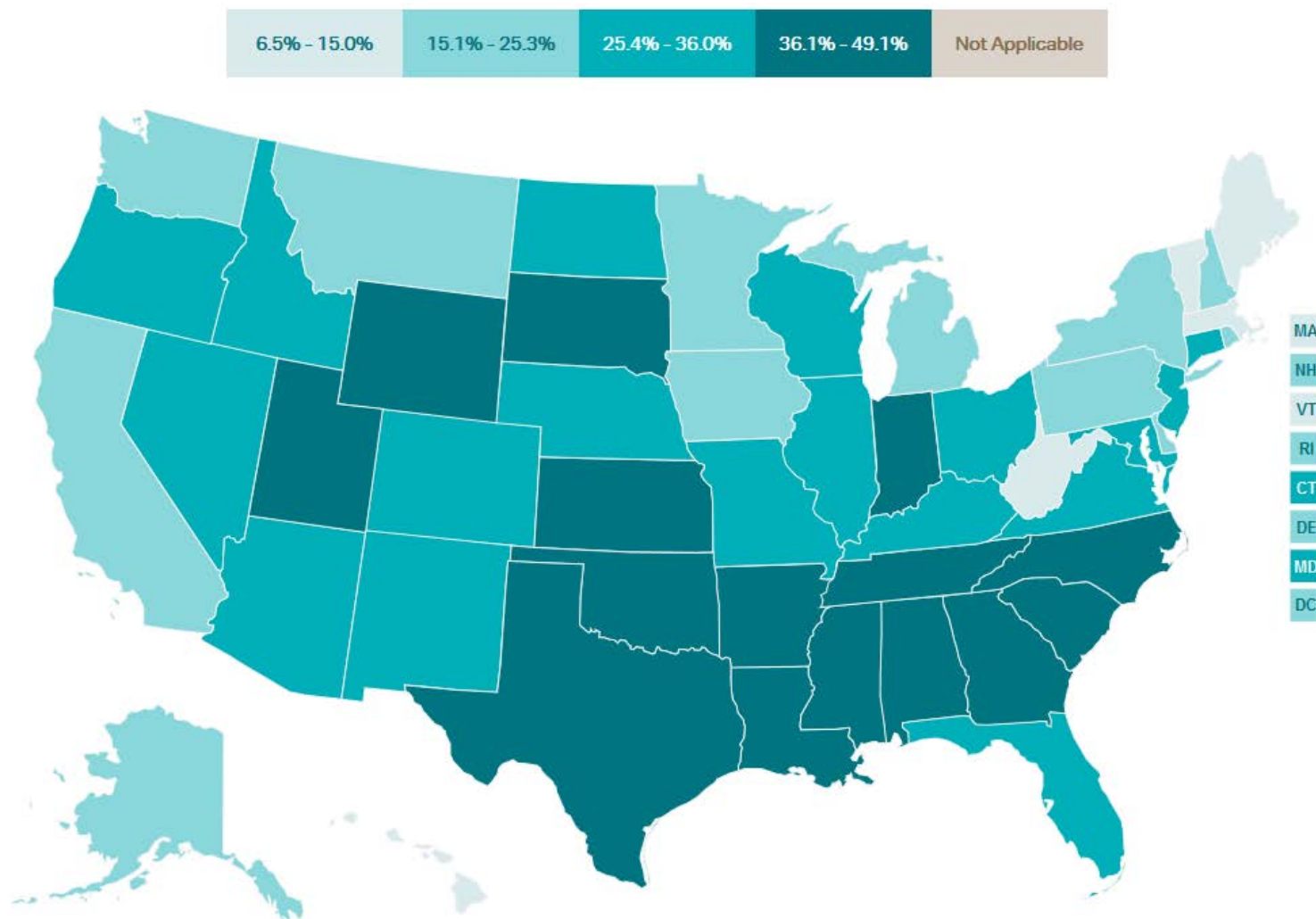
I SPEAK ...



ARABIC أنا أتحدث اللغة العربية	FRENCH Je parle français	LAOTIAN ຂ້ອນຢາກເວົ້າລາວ	SPANISH Yo hablo español
ARMENIAN Ես խոսում եմ հայերեն	FRENCH CREOLE [HAITIAN CREOLE] M pale kreyòl ayisyen	LITHUANIAN Aš kalbu lietuviškai	SWAHILI Ninongea Kiswahili
BENGALI আমি বাংলা কথা বলতে পারি	GERMAN Ich spreche Deutsch	MANDARIN (CHINESE) 我讲普通话 / 我讲国语	SWEDISH Jag talar svenska
BOSNIAN Ja govorim bosanski	GREEK Μιλώ τα ελληνικά	NORWEGIAN Jeg snakker norsk	TAGALOG Marunong akong mag Tagalog
BULGARIAN Аз говоря български	GUJARATI મુજરાતી બોલુ છું	POLISH Mówię po polsku	THAI พูดภาษาไทย
BURMESE ဂျပန်/ဂျပန် ဂျပန် ဂျပန် ဂျပန်	HEBREW אני מדבר עברית	PORTUGUESE Eu falo português do Brasil (Brasil)	TURKISH Türkçe konuşurum
CAMBODIAN ខ្ញុំនិយាយភាសាខ្មែរ	HINDI मैं हिंदी बोलता हूँ ।	Eu falo português de Portugal (Portugal)	UKRAINIAN Я розмовляю українською мовою
CANTONESE (CHINESE) 我講廣東話 / 我讲广东话	HMONG Kuv has lug Moob	PUNJABI मैं पंजाबी बोलती हूँ ।	URDU میں اردو بولتی ہوں
CROATIAN Govorim hrvatski	HUNGARIAN Beszélék magyarul	ROMANIAN Vorbesic românește	VIETNAMESE Tôi nói tiếng Việt
CZECH Mluvíím český	ITALIAN Parlo italiano	RUSSIAN Я говорю по-русски	YORUBA Mo nso Yoruba
DUTCH Ik spreek het Nederlands	JAPANESE 私は日本語を話す	SERBIAN Ja govorim српски	
FARSI (PERSIAN) من فارسی صحبت می کنم	KOREAN 한국어 합니다	SLOVAK Hovorím po slovensky	

* Registrars should use this tool to guide patients in identifying their spoken language when they do not speak English at all.
 SOURCE: Adapted from the State of Ohio's Office of Criminal Justice Services and recommended by the US Department of Health and Human Services - Office of Civil Rights for use by healthcare facilities

Uninsured Rates for LEP



Sources of LEP Protections

- Title IV of the 1964 Civil Rights Act
 - Executive Order 13166
- Section 1557 of the Affordable Care Act

TITLE VI OF THE 1964 CIVIL RIGHTS ACT

42 U.S.C Section 2000d

TITLE 42 - Public Health and Welfare

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (Pub. L. 88-352, Title VI, Section 601, July 2, 1964, 78 Stat. 252.)

Section 1557 of ACA

- Goal: to provide vulnerable populations with equal access to health care and health coverage.
- Prohibits discrimination on the basis of race, color, national origin, sex, age, or disability
- Builds on Title IV to clarify protections and standards
- Covered entities must provide meaningful access

Protections

- Covered Entities covered by 1557
 - Health programs or activities that receive federal financial assistance from HHS
 - Health programs or activities administered by HHS
 - Entities established under Title I of the ACA

Protections

- Notices and Taglines
 - Notice of consumer civil rights
- Post taglines about the right to receive communication assistance
 - In at least the top 15 languages spoken by individuals with limited English proficiency in the relevant State or States.
 - Web content and critical documents

“ATTENTION: If you speak [insert language], language assistance services, free of charge, are available to you. Call 1-xxx-xxx-xxxx”

Get Coverage

Keep or Update Your Plan

See Topics ▾

Get Answers

Search

SEARCH

Open Enrollment for 2017 is here!

First time applying on HealthCare.gov?

Have a 2016 Marketplace plan?

TAKE THE FIRST STEP TO APPLY

LOG IN TO KEEP/CHANGE PLANS

Have a 2016 plan in Kentucky? Learn about using HealthCare.gov for 2017.

76 DAYS LEFT TO ENROLL

RESOURCES

About the Affordable Care Act

Regulatory and Policy Information

For Navigators, Assistants & Partners

For Agents & Brokers

For the Media

For Researchers

For States

Information in other languages

CONNECT WITH US

Questions? Call 1-800-318-2596

Find Local Help

Visit the HealthCare.gov blog



ALL TOPICS | GLOSSARY | CONTACT US | ARCHIVE

NONDISCRIMINATION / ACCESSIBILITY | PRIVACY POLICY | PRIVACY SETTINGS | LINKING POLICY | USING THIS SITE | PLAIN WRITING

中文 | KREYOL | FRANÇAIS | DEUTSCH | ગુજરાતી | हिन्दी | ITALIANO | 日本語 | 한국어 | POLSKI | PORTUGUÊS | РУССКИЙ | ESPAÑOL | TAGALOG | TIẾNG VIỆT



A federal government website managed by the
U.S. Centers for Medicare & Medicaid Services,
7500 Security Boulevard, Baltimore, MD 21244



USA.gov
Government Made Easy

DC Health Link

DC Health Link
1225 Eye Street NW
Suite 400
Washington DC 20005

<Primary First Name><Primary Last Name>
<Primary Street Address 1>
<Primary Apt/Suite>
<Primary City>, <Primary State><Primary Zip>

- If you need help understanding this notice, please call 1-855-532-5465. We will explain it to you in your preferred language. You can also Fax us at 202-671-4400.
- ይህንን ማሳሰቢያ ለመረዳት እርዳታ የሚፈልጉ ከሆነ፣ እባኩን በ 1-855-532-5465 ይደውሉ። በሚመርጡት ቋንቋ እናብረራሉታለን። በተጨማሪም፣ በ 202-671-4400 ፋክስ ሊያደርጉልን ይችላሉ።
- Si necesita ayuda para entender este aviso, por favor llamar al 1-855-532-5465. Le explicaremos en el idioma de su preferencia. También puede enviar un fax al 202-671-4400.
- Si vous avez des difficultés à comprendre cet avis, n'hésitez pas à appeler le 1-855-532-5465. Nous vous donnerons des explications dans votre langue préférée. Vous pouvez également nous atteindre par fax au 202-671-4400.
- 본 내용을 이해하는 데 도움이 필요하신 경우, 1-855-532-5465번으로 연락해 주십시오. 당 당국원이 원하시는 언어로 해당내용을 설명해드릴 것입니다. 202-671-4400번으로 팩스를 보내실 수도 있습니다.
- 如果您需要帮助以理解本通知，请致电1-855-532-5465。我们将采用您的首选语言向您解释本通知。您还可向我们发送传真：202-671-4400。
- 如果您需要幫助以理解本通知，請致電 1-855-532-5465。我們將採用您的首選語言向您解釋本通知。您還可向我們發送傳真：202-671-4400。
- Nếu cần được giúp đỡ để hiểu rõ thông báo này, xin gọi số 1-855-532-5465. Chúng tôi sẽ giải thích thông báo này cho quý vị bằng ngôn ngữ quý vị chọn. Quý vị cũng có thể gửi điện sao (fax) đến chúng tôi theo số 202-671-4400.

Protections

- Nondiscrimination
 - Bottom line –Should be able to get health services regardless of English proficiency
- What to look for
 - Entity has a language access policy
 - Collection of data
 - Qualifications for interpreters and bilingual staff
- File Complaints with OCR
 - <http://www.hhs.gov/ocr/filing-with-ocr/>

INFORMATION on ACA & Immigrants

NILC Resources

- *Immigrants and the Affordable Care Act* - <http://nilc.org/immigrantshcr.html> and in Spanish - <http://nilc.org/immigrantshcrsp.html>
- *Frequently Asked Questions – The Affordable Care Act & Mixed Status Families* - http://nilc.org/aca_mixedstatusfams.html
- *Sponsored Immigrants & Benefits* - <http://www.nilc.org/document.html?id=166>
- *“Lawfully Present” Individuals Eligible under the Affordable Care Act* - <http://www.nilc.org/document.html?id=809>
- *Frequently Asked Questions – Exclusion of Youth Granted “Deferred Action for Childhood Arrivals” from Affordable Health Care* - <http://www.nilc.org/document.html?id=802>
- *A Quick Guide to Immigrant Eligibility for ACA and Key Federal Means-tested Programs* - <http://www.nilc.org/document.html?id=844>
- *Typical Documents Used by Lawfully Present Immigrants* - <http://www.nilc.org/document.html?id=35>
- *Federal Guidance on Public Charge – When Is it Safe to Use Public Benefits?* - <http://www.nilc.org/document.html?id=164>
- *Overview of Immigrant Eligibility for Federal Programs* – see page 4 for a list of “qualified” immigrants. <http://www.nilc.org/document.html?id=108>
- Maps of *Health Coverage for Immigrant Children* and *Health Coverage for Pregnant Women* - <http://www.nilc.org/healthcoveragemaps.html>
- *Medical Assistance Programs for Immigrants in Various States* - <http://nilc.org/document.html?id=159>

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