

November 2019

# 10 Facts About Access to Health Insurance for Immigrants and Their Families

## OVERVIEW

Changes in immigration policy have created fear among immigrants and their families, causing eligible people to go without access to health care and other important supports. The Affordable Care Act's marketplace open enrollment period presents a great opportunity to fight back and make sure immigrants and their families understand what recent threats mean for them as they seek health coverage.

## KEY FACTS

- 1 The Trump Administration's ongoing efforts to restrict immigration is increasing fear and confusion among immigrants and their families.** According to reports, enrolment is declining among immigrants and their families who are eligible for health insurance affordability programs (including Medicaid, the Children's Health Insurance Program (CHIP), and ACA marketplace coverage with tax credits/subsidies). Last year, one in seven adults in immigrant families reported [avoiding public benefits](#) out of fear. Nearly half of [community health centers report](#) that, during the past year, immigrant patients declined to enroll themselves in Medicaid. And nearly 40 percent of health centers report parents have declined coverage for their children. With [one in four children](#) living with an immigrant parent, the damaging consequences affect millions of people in immigrant families and their communities.
- 2 Immigrants' eligibility for health insurance affordability programs has not changed. Many immigrants are eligible to enroll in Medicaid, CHIP, and subsidized health insurance plans through the ACA marketplace.** Most lawfully present immigrants with low and moderate incomes qualify for health insurance affordability programs, such as tax credits, that help offset premium costs for ACA marketplace plans, Medicaid, or CHIP. For more information on eligibility rules, check out [this fact sheet](#).
- 3 Open enrollment for ACA marketplace coverage is happening NOW!** For 2020 coverage, the open enrollment (OE) period for HealthCare.gov runs from November 1 through December 15. Several state-run marketplaces have announced they will hold [longer OE periods](#) this year. Once the OE period ends, individuals and families will not be able to enroll in marketplace health plans until the next OE period (unless they qualify for a special enrollment period). Individuals can apply for Medicaid and CHIP all year long.
- 4 The Trump Administration wants immigrants and their families to be afraid of enrolling in health coverage.** In addition to pushing for a physical border wall, the Trump Administration has pursued a wide range of policy changes to create an "[Invisible Wall](#)" that makes it harder for immigrants with low and moderate incomes to navigate the immigration system. It also prevents or deters them from accessing basic needs programs. These efforts are part of Trump's government-wide assault designed to send immigrant families one message: you are not welcome in the United States.

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**You can fight back by ensuring that immigrants know their rights and can make the best decisions for themselves and their families.** Health care access helps families thrive. It's essential that families make decisions based on facts, not on fear. We've created a [fact sheet](#) on immigrants' rights when accessing health care services and enrolling in health insurance affordability programs, along with a [guide](#) that answers questions about "public charge." If you are someone who helps immigrants and their families enroll in health coverage, we recommend checking out these webinars on [immigrant eligibility](#) and [working with immigrants](#). Every family's situation is different. In some cases, it may be best to seek [immigration legal assistance in your area](#).

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**Courts have blocked the Trump Administration from using rules that could penalize immigrants with low and moderate incomes for using Medicaid.** In October 2019, multiple federal courts blocked President Trump's "public charge" rule from going into effect. The rule would be a radical change to immigration policy, making it difficult for people who are not already wealthy to become lawful permanent residents. With the rule blocked, Medicaid receipt will **not** count against individuals who have immigration applications processed in the United States. As long as the court orders remain in effect, only the use of cash assistance (e.g. TANF, SSI, or state general assistance funds) and long-term institutional care funded by the federal government can be considered in the public charge test. Even if the rule moves forward in the future, receipt of CHIP or ACA marketplace tax credits/subsidies will not be considered.

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**Immigrants who do not qualify for health insurance affordability programs for themselves can still apply for their children and other family members who are eligible.** During the application process, the person completing the application will state which household members are applying for coverage. People not applying ("non-applicants") may need to include information such as their income and plans for tax filing, but they are not required to provide information about their immigration or citizenship status.

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**Applying for health insurance will not put undocumented family members at risk.** Federal and state laws protect the privacy of people who apply for or receive health care coverage or other public benefits. Under these rules, Medicaid, CHIP and marketplace agencies may share information with other government agencies only for purposes of administering their programs, with limited exceptions such as when there is a court order. The HealthCare.gov website says that information provided by applicants will **not** be used for immigration enforcement purposes.

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**The president's health insurance requirement does not apply to all immigrants.** Separately from the "public charge" rules, the president recently issued an [order on health insurance](#) that would restrict entry visas to the United States by people who are uninsured and cannot pay the costs of their health care. Under the order, subsidized ACA plans are not an acceptable form of coverage. However, this order does **not** apply to immigrants already in the United States who will not have immigration applications processed abroad. People who are eligible to enroll in subsidized coverage through the health care marketplace—like HealthCare.gov—should not avoid enrollment based on fear of this new policy.

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**A nationwide network of advocates are united to protect and defend access to health care and other social services programs for immigrants and their families.** The [Protecting Immigrant Families \(PIF\) Campaign](#) has fought back against multiple threats the Administration created to increase fear and avoidance of health and other social services programs. PIF organized a massive effort to delay and derail the proposed public charge rule. We won't stop fighting to ensure immigrant families can access health care without fear. And it's a fight that, together, we can win. Join [hundreds of organizations](#) working to protect immigrant families and advance our shared vision for a just future. Find out how you can [get involved](#).