Immigrants and Health Care Reform



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Definitions

- "Lawfully present" immigrants
 - On road to citizenship e.g. Legal Permanent Resident or LPR
 - Permission to stay indefinitely in US without pathway to citizenship (e.g. Temporary Protected Status including PRUCOL and DACA "Dreamers")
 - Permission to stay temporarily (e.g. visa holders)
- Undocumented immigrants
 - Persons who lost permission to remain in US or entered without permission

Legal Immigrants under ACA

- "Lawfully present" immigrants can:
 - Buy health insurance in Exchange with own funds
 - Qualify for premium and co-pay subsidies in Exchange (up to 400% if <5 years; 138-400% if >5 years)
 - Receive full-scope Medicaid (Medi-Cal) if 5+ yrs.
 - Subject to individual mandate
 - But DACA are treated as undocumented for federal health coverage benefits (not <u>State</u> benefits).

State-funded Medi-Cal

- -- Qualified Immigrants subject to the 5-yr bar
- --Permanently Residing Under Color of Law (PRUCOLs)
 - Currently Eligible including those not enrolled (65 or older, blind, or disabled)
 - Newly Eligible Recent Immigrants (single childless adults under 138%FPL) and DACA
- -- Newly eligible qualified Immigrants subject to the 5-yr bar:
 - Will get Medi-Cal benefits until the Exchange wraparound benefits are available

Mixed-status immigrant families

- US Citizen or LPR children/spouses have same rights as other citizens
 - Eligible for Medi-Cal
 - Eligible to buy insurance and get subsidies on Exchange via "child only" plans
- Can apply for Exchange subsidies, but must be tax-filer

Undocumented Immigrants

- Cannot buy insurance in individual market of the Exchange, even at full costs
- Cannot receive subsidies through exchange
 - Eligible family members can receive subsidies, but taxes must be filed
- Ineligible for Medi-Cal, except emergency services and pregnancy; also Breast Cancer and Cervical Cancer Treatment, FamPACT and AIM.
- Excluded from individual mandate
- Can be covered by employer (including in SHOP, or purchase individual policy outside Exchange)

Restricted or Emergency Medi-Cal

"Emergency Medical Condition" - a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

- Placing the patient's health in serious jeopardy
- Serious impairment to bodily functions
- Serious dysfunction to any bodily organ or part of it

ACA Verification Requirements

- Citizenship or lawful presence must be verified for:
 - Individual health insurance in the state exchanges.
 - Health insurance premium tax credits.
 - Medicaid and CHIP.
- Status will be electronically verified through:
 - Social Security Administration (SSA) for citizens.
 - U.S. Citizenship and Immigration Services (USCIS) for non-U.S. citizens
 via the Systematic Alien Verification for Entitlements (SAVE) database.
 - Enrollees have opportunity to provide other documents or to fix records.
- Social Security Number (SSN) only required of applicants.
 - SSN of a non-applicant may be requested to verify household income. If unavailable, other proof of income can be provided.
- Information about immigration status may be used only to determine an individual's eligibility.
- No citizenship/immigration verification for employer or SHOP.

Senate Immigration Reform S. 744

- "Registered Provisional Immigrant (RPI)
 - 10 years to "legal permanent resident" (LPR) status
 - no "means tested" eligibility during provisional period (full Medi-Cal, CalFresh, SSI, etc.)
 - Then, 5 year bar after LPR status or 3 years until citizenship
- DREAMer's
 - 5 years as RPI until eligible for LPR status then, immediate citizenship available
- RPIs and DREAMer's ineligible for Exchange subsidies, but can pay full price
- Farmworker "Blue Card" status -
 - 5 years to LPR status, then 5 year bar on "means tested" programs.
 - No means tested programs or Exchange subsidies during provisional period

Additional resources

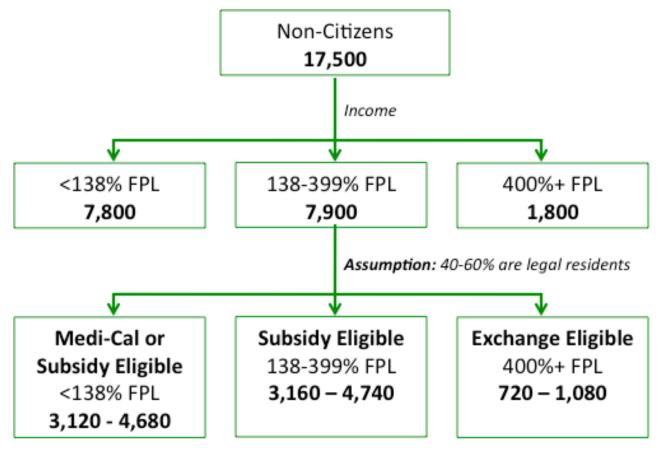
National Immigration Law Center:

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nilc.org/ACAfacts.html
nilc.org/document.html?id=481
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- California Immigrant Policy Center: caimmigrant.org/
- California Primary Care Association:
 cpca.org/index.cfm/policy-advocacy/policy/health-care-reform/
 - Special acknowledgment to Richard Figueroa,
 The California Endowment, and CIPC.

What programs will the uninsured be eligible for after the 2014 coverage expansion in Merced County?

Of the 17,500 uninsured non-citizens, between 7,000 – 10,000 may be eligible for Medi-Cal or Covered California enrollment



Source: PHCG Rounded estimates using the 2009-2011 American Community Survey data



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