

Getting the Health Care You Deserve

Your immigration information is safe, secure and confidential



It's important to have health coverage to keep you and your family healthy

Across America, through the Health Insurance Marketplace, you can compare your options and get a health insurance plan that's right for you. And, if you qualify, you can get financial assistance to help pay for your health coverage. When you apply, you can also find out if you are eligible for your state's Medicaid or CHIP program.

Most people who are U.S. citizens, U.S. nationals, or who are "lawfully present" can get health insurance with financial help through HealthCare.gov, if their income qualifies. Individuals with other immigration statuses may also be eligible for health coverage through state programs, although the benefits may be limited.

If you are applying for health coverage for yourself or your family members, know that all of your information is safe and confidential.

A partnership including the National Immigration Law Center, the Mexican American Legal Defense and Educational Fund, the National Association of Latino Elected and Appointed Officials Educational Fund, the Asian Americans Advancing Justice and Covered California, one of the state-based marketplaces for getting insurance coverage, is encouraging everyone to apply for health coverage, without fear that their application will affect their immigration status or the status of their family members.

Your immigration information is protected

When you apply through HealthCare.gov or with the help of local partners (Insurance Agents, Navigators and Enrollment Counselors) that are assisting with enrollment by providing free and confidential assistance, immigration status information is needed for any person who is applying for coverage, but all of your information is kept private and secure.¹ It will not be used by any immigration agency to enforce immigration laws.² All information you submit is used only to determine your eligibility for health programs through HealthCare.gov.³

When you apply for coverage, you may be asked to provide information about your immigration status or that is on your documents, like a number on your "Green Card" or information on an Employment Authorization Card. In some circumstances, you may need to mail or fax copies or upload them to your online application. Your immigration information and documents are always kept secure.

If you are applying for someone else, you do not need to provide information about your immigration status

If you are applying for health coverage for another person, like your child, and not for yourself, you do not need to provide any information about your own immigration status.⁴ Your social security number (SSN) may be needed to help determine whether a family is eligible for financial assistance, but you are not required to have and input a SSN to apply for coverage.⁵ There are some exceptions for people who do not have or are not eligible for SSNs and can still get health coverage.⁶ You can still apply and in some circumstances the state can help you get an SSN if you need help applying for one.⁷

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Immigrant and undocumented family members on your application are not at risk

The information you provide to get health insurance coverage will not be used for immigration purposes, even if members of your family are undocumented immigrants or immigrants with temporary status like Temporary Protected Status or deferred action. In 2013, the U.S. Immigration and Customs Enforcement (ICE) clarified that it “does not use information about [immigration] obtained for purposes of determining eligibility for such coverage as the basis for pursuing a civil immigration enforcement action.”⁸ This means that all information on your application is safe, secure, confidential, and will not be used for immigration purposes.

Applying for coverage through the marketplace does not affect your immigration status

Getting health coverage through the Health Insurance Marketplace will not affect your immigration status, even if you receive financial assistance. In addition, you do not have to be afraid of being labeled a “public charge” and it will not make it harder for you to become a U.S. citizen or a lawful permanent resident.⁹ There’s one exception for certain people getting Medicaid. People receiving long-term care in an institution through Medicaid may face barriers getting a green card.¹⁰

Remember: you or your family may be eligible for other limited coverage, including if you qualify for Deferred Action for Childhood Arrival (DACA)

Deferred Action for Childhood Arrival (DACA) recipients, or individuals who are undocumented are not eligible to purchase a health plan through HealthCare.gov.¹¹ However, depending on their state of residence and income, they may be eligible for state programs.¹² It is important to know that some low-income immigrants may receive Medicaid for limited emergency services to treat an emergency medical condition, regardless of immigration status, if they meet all other Medicaid eligibility criteria in the state.¹³

That is why it is important for all individuals and their families to apply and see what health coverage options are available to them.

Where to get help

To find more information about your coverage options, go to www.HealthCare.gov. On the website, click on the “Find Local Help” button to find an organization in your community who can provide free and confidential help and answer any questions you may have. Or you can call the Health Insurance Marketplace at 1(800) 318-2596 for help in English, Spanish, and other languages.

A link to download this document can be found at: www.CoveredCA.com/news/PDFs/immigration-fact-sheet-us.pdf

¹ See, e.g., Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148, § 1414 (2010); 45 C.F.R. 155.260(a)(1)(2014); 42 U.S.C. § 1396a(a)(7)(2012); 26 U.S.C. § 6103(2012).

² Clarification of Existing Practices Related to Certain Health Care Information, U.S. Immigration and Customs Enforcement (Oct. 25, 2013), available at <http://www.ice.gov/doclib/ero-outreach/pdf/ice-aca-memo.pdf>.

³ 45 C.F.R. § 155.260(a)(1)(2014).

⁴ 45 C.F.R. § 155.310(a)(2)(2014).

⁵ 45 C.F.R. §§ 155.305(f)(6), 155.310(a)(3)(ii)(2014).

⁶ 45 C.F.R. § 155.610(e).

⁷ 42 C.F.R. § 435.910(e).

⁸ ICE Clarification of Existing Practices, *supra*.

⁹ See, e.g., Field Guidance on Deportability and Inadmissibility on Public Charge Grounds, Immigration and Naturalization Service, Department of Justice, 64 Fed. Reg. 28689, 28692 (May 26, 1999); Public Charge Fact Sheet, U.S. Citizenship and Immigration Services, Department of Homeland Security (revised Nov. 15, 2013), available at <http://www.uscis.gov/news/fact-sheets/public-charge-fact-sheet>.

¹⁰ *Ibid.*

¹¹ Memorandum from Janet Napolitano, Exercising Prosecutorial Discretion with Respect to Persons Who Came to the United States as Children, Department of Homeland Security (June 15, 2012), available at: <http://www.dhs.gov/xlibrary/assets/si-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>; 45 CFR §§ 152.2, 155.20, 155.305(a)(1)(2014).

¹² National Immigration Law Center, Medical Assistance Programs for Immigrants in Various States, available at <http://nilc.org/health.html>.

¹³ 42 C.F.R. § 435.350.