



# The Affordable Care Act and You

A GUIDE FOR FARMWORKERS AND THEIR FAMILIES

## SECTIONS

U.S. Citizens and “Qualified Immigrant”



Employer-Provided Health Insurance



H-2A Workers



Lawfully Present Farmworkers and their Families



Health Insurance Requirement





# The Affordable Care Act and You

## U.S. Citizens and “Qualified Immigrant” Farmworkers and their Families

If you or a family member are a U.S. citizen or “qualified immigrant,” you are able to more easily receive health insurance. You may qualify for Medicaid or you can purchase health insurance in your state’s marketplace, where you may also qualify for financial help to lower the cost of health insurance.

### Who is a “qualified immigrant?”

You are a “qualified immigrant” if you are:

- A lawful permanent resident (green card holder for more than 5 years)
- A refugee or asylee
- A survivor of trafficking (with a T-visa)

### What are my options for health insurance?

#### 1. Medicaid

Medicaid is a public health insurance program that allows you to get medical care at little or no cost, including routine and emergency medical care and prescription drugs.

#### How can I apply?

You must be a resident of the state where you apply for benefits. Income eligibility varies by state. Some states are expanding Medicaid to cover more people

You can contact your local state social services agency or your local community health center to find out more about Medicaid.

#### 2. Private Health Insurance

Each state has a “health insurance marketplace” where you can purchase a private health insurance plan. All of the plans include a basic set of medical services. You can choose the plan that is best for you and your family. You are also able to apply for financial help to lower the cost of health insurance.

#### How can I apply?

- You can apply by phone, by computer, or you can fill out a paper application. The application is available in Spanish.
- Many community organizations and community health centers have trained staff available to answer your questions and help you apply for health insurance.
- Ask your supervisor if your employer offers health insurance before applying for insurance in the marketplace.

#### Be careful of scams to steal your money!

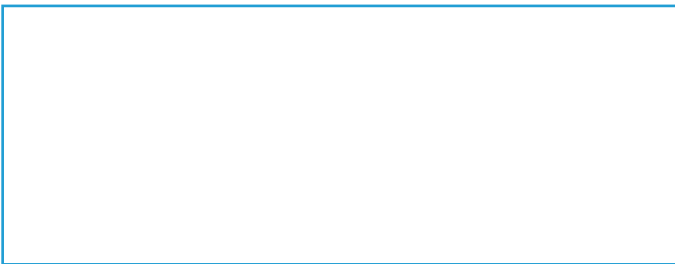
You must take the first step to apply for health insurance. **NEVER** give out personal information such as credit card numbers, bank account or Social Security numbers, or your date of birth to unfamiliar callers.



Government agencies normally communicate through the mail. If you get an unsolicited call, text message or e-mail from an organization you do not recognize, hang up or do not respond. Your local community health center may call you if you are a patient. But, they will not ask for personal information over the phone. Instead, they will probably invite you to come in to the health center to talk about your health insurance options.

**Call 800-318-2596** to speak with someone who can answer your questions or help you enroll! Help is available at anytime in Spanish and other languages.

You can also get help at:



HRSA Disclaimer: This publication is supported by grant number U30CS22741 from the Health Resources and Services Administration’s Bureau of Primary Health Care.

The contents of this publication are solely the responsibility of Farmworker Justice and do not necessarily reflect the official views of the Bureau of Primary Health Care or the Health Resources and Services Administration.

Farmworker Justice | 1126 16th St NW  
Suite 270 | Washington, DC 20036 |  
[www.farmworkerjustice.org](http://www.farmworkerjustice.org)



# The Affordable Care Act and You

## Employer-Provided Health Insurance

Under the Affordable Care Act, some employers are required to offer health insurance coverage to their employees. This guide will provide you with basic information about employer-provided health insurance. For more information about other parts of the law, including the requirement for individuals to have health insurance and exemptions to that requirement, see Farmworker Justice's Guide on the Health Insurance Requirement. For more information about Medicaid and the Health Insurance Marketplaces, see Farmworker Justice's Guide for U.S. Citizens.

### How do I know if I am covered through my employer?

You should contact your employer to find out if he/she offers health insurance and if you are eligible for coverage. If your employer offers health insurance, you should receive information about your health insurance options in a language you understand.

### Who is covered under my employer-provided health insurance?

Employers who offer coverage are required to offer it to both you and your children up to 26 years old. Employers are NOT required to offer coverage to spouses.

### Are immigrants eligible for employer-provided health insurance?

All employees are eligible for employer-provided health insurance.

### How much will I have to pay for my health insurance?

The exact amount you will have to pay depends on the kind of plan your employer offers you and the number of family members on your insurance plan.

### What happens if I choose not to enroll in my employer's health insurance?

You are not required to accept your employer's offer of health insurance, but most individuals are required to have some form of health insurance. If you decline coverage from your employer, you may have to pay a tax penalty if you do not enroll in another health insurance plan. Exemptions from this penalty are explained in Farmworker Justice's Guide on the Health Insurance Requirement. You may also qualify for Medicaid, which you can enroll in throughout the year. An offer of employer insurance will not affect your eligibility for Medicaid.

**Caution:** If you choose to decline your offer of employer insurance, you can still explore your options in the Marketplace. However, you may



not qualify for financial assistance. To qualify for financial assistance, your payment for your own health insurance must be more than 9.5% of your household income. You can speak with a certified application assister for more information.

### **Can I use my health insurance if I change employers?**

If you change employers you will also have to enroll in a new health insurance plan. If you are not offered health insurance by your new employer, you will have 60 days after you lose coverage to enroll in a health insurance plan in the Marketplace.

### **Where can I get more information?**

You might need assistance to go over your health insurance options so you can choose what is best for you and your family.

**Call 800-318-2596** to speak with someone who can answer your questions or connect with someone near you. Help is available at anytime in Spanish and other languages.

You can also seek help at:

HRSA Disclaimer: This publication is supported by grant number U30CS22741 from the Health Resources and Services Administration's Bureau of Primary Health Care.

The contents of this publication are solely the responsibility of Farmworker Justice and do not necessarily reflect the official views of the Bureau of Primary Health Care or the Health Resources and Services Administration.

Farmworker Justice | 1126 16th St NW  
Suite 270 | Washington, DC 20036 |  
[www.farmworkerjustice.org](http://www.farmworkerjustice.org)





# The Affordable Care Act and You

## H-2A Workers

The Affordable Care Act or “Obamacare” provides new options to obtain health insurance coverage for individuals who reside in the United States, including H-2A workers. It also requires all people living in the U.S. to have health insurance. Depending on your income and family size, you may be eligible for financial assistance to lower the cost of health insurance. Most H-2A workers pay less than \$25/month for health insurance!

### Why do I need health insurance?

Health insurance is a contract between you and a private company. In exchange for a monthly fee (called a “premium”), the insurance company helps you pay for routine or unexpected medical expenses. Health insurance protects you from very high costs if you need medical services while you are in the U.S. Remember that no one plans to get sick or hurt.

**Without health insurance, an injury can cost thousands of dollars. But with health insurance, it costs much less.**

### What happens if I don’t have health insurance?

You are only required to have health insurance if you are in the U.S. for 3 months or more. If you are here for 3 months or longer and do not have health insurance, you may have to pay a fine when you file your U.S. taxes.

### Doesn’t my employer pay for my medical expenses while in the U.S.?

If you are injured or get sick at work, your employer does pay for your medical expenses. This is called “workers’ compensation” insurance. But if you are injured or get sick outside of work, you are responsible for all of the medical expenses. Health insurance helps to pay for these costs. Ask your employer if he/she can provide assistance in obtaining health insurance.

**YOU MUST APPLY FOR HEALTH INSURANCE WITHIN 60 DAYS AFTER YOU ENTER THE U.S. YOU MUST ALSO CANCEL YOUR HEALTH INSURANCE BEFORE YOU LEAVE THE U.S.**

### When you apply, make sure you have:

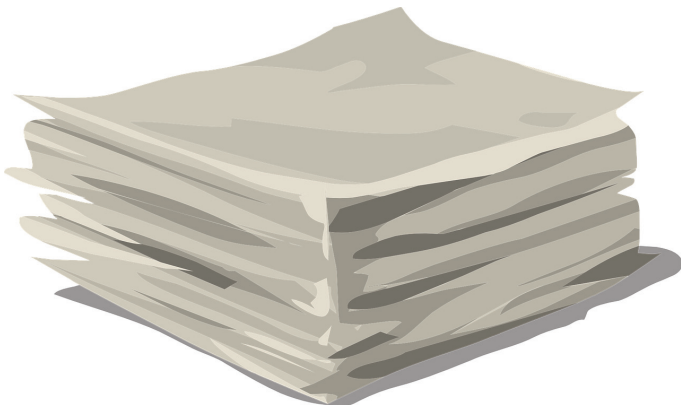
1. Your H-2A visa provided by the U.S. government
  - Passport
  - Social Security Card
2. Your most recent pay stub or W-2 tax form
3. Your employer’s name and address

### Your employer may have information about how to apply for health insurance.

**Remember:** The information you include in your health insurance application should be the same as the information you provide on your U.S. income tax form.



**Attention:**  
It could take you 1 to 3 hours to apply for health insurance.



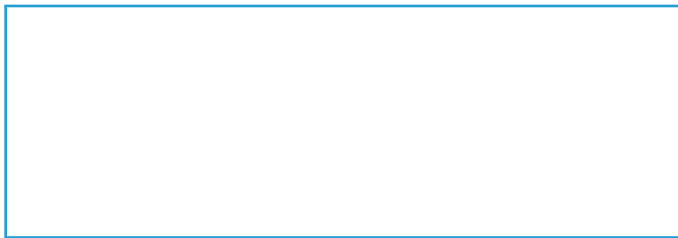
HRSA Disclaimer: This publication is supported by grant number U30CS22741 from the Health Resources and Services Administration's Bureau of Primary Health Care.

The contents of this publication are solely the responsibility of Farmworker Justice and do not necessarily reflect the official views of the Bureau of Primary Health Care or the Health Resources and Services Administration.

Farmworker Justice | 1126 16th St NW  
Suite 270 | Washington, DC 20036 |  
[www.farmworkerjustice.org](http://www.farmworkerjustice.org)

**Call 800-318-2596** to speak with someone who can answer your questions or help you enroll! Help is available at anytime in Spanish and other languages.

You can also get help at:





# The Affordable Care Act and You

## Lawfully Present Farmworkers and their Families

If you or a family member are lawfully present in the United States, you have options to receive health insurance. You can purchase health insurance in your state's marketplace, where you may also qualify for financial help to lower the cost of health insurance. You may also qualify for Medicaid. For information about Medicaid, see Farmworker Justice's Affordable Care Act guide for U.S. citizens and "qualified immigrant" farmworkers and their families.

### Who is lawfully present?

You are lawfully present if you are:

- A U.S. citizen
- A lawful permanent resident (green card holder)
- A survivor of trafficking (with a T-visa)
- A survivor of domestic violence (with a U-visa)
- A non-immigrant visa holder (with an H-2A or H-2B visa)
- A refugee or asylee
- Granted Temporary Protected Status (TPS)

### What are my options for health insurance?

#### Private Health Insurance

Each state has a "health insurance marketplace" where you can purchase a private health insurance plan. All of the plans include a basic set of medical services, including routine medical visits,

emergency care, prescription drugs and chronic disease management. You can choose the plan that is best for you and your family.

How to get financial help:

If your income is below \$47,080 (or \$80,360 for a family of 3), you may qualify for help to lower the cost of health insurance.

### There are two types of financial help you may qualify for:

#### 1. Tax credits

The federal government will pay part of your costs directly to the health insurance company, and your monthly payments will be lower.

#### 2. Lower co-pays

You may qualify for reduced costs for medical visits and prescription drugs.

### How to apply:

- You can apply by phone, by computer, or you can fill out a paper application. The application is available in Spanish.
- Many community organizations and health centers have trained staff available to answer your questions and help you apply for health insurance.
- Ask your supervisor if your employer offers health insurance before applying for insurance in the marketplace





## Be careful of scams to steal your money!

You must take the first step to apply for health insurance. **NEVER** give out personal information such as credit card numbers, bank account or Social Security numbers, or your date of birth to unfamiliar callers.

Government agencies normally communicate through the mail. If you get an unsolicited call, text message or e-mail from an organization you do not recognize, hang up or do not respond. Your local community health center may call you if you are a patient. But, they will not ask for personal information over the phone. Instead, they will probably invite you to come in to the health center to talk about your health insurance options.

**Call 800-318-2596** to speak with someone who can answer your questions or help you enroll! Help is available at anytime in Spanish and other languages.

You can also seek help at:

HRSA Disclaimer: This publication is supported by grant number U30CS22741 from the Health Resources and Services Administration’s Bureau of Primary Health Care.

The contents of this publication are solely the responsibility of Farmworker Justice and do not necessarily reflect the official views of the Bureau of Primary Health Care or the Health Resources and Services Administration.

Farmworker Justice | 1126 16th St NW  
Suite 270 | Washington, DC 20036 |  
[www.farmworkerjustice.org](http://www.farmworkerjustice.org)





# The Affordable Care Act and You

## Health Insurance Requirement

You and your family may be required to have health insurance or pay a penalty. This requirement is often called “the individual mandate.” This guide will provide you with important information about what the law requires for you and your family.

### What does the law require about health insurance?

Anyone who is “lawfully present” in the United States is required to have health insurance that covers basic medical services (including routine medical visits, emergency care, prescription drugs and chronic disease management). Those who cannot show they have health insurance may have to pay a tax penalty. In 2016, the penalty for not having health insurance is \$695/person (\$347.50/child) or 2.5% of your household income, whichever amount is greater.

### Who is lawfully present?

You are lawfully present if you are:

- A U.S. citizen
- A lawful permanent resident (green card holder)
- A survivor of trafficking (with a T-visa)
- A survivor of domestic violence (with a U-visa)
- A non-immigrant visa holder (with an H-2A or H-2B visa)
- A refugee or asylee
- Granted Temporary Protected Status (TPS)

**When you fill out your federal income tax form, you are asked to provide proof of health insurance or that you qualify for an exemption to the penalty.**

### Are there exemptions to the penalty?

If you do not have health insurance, you may not have to pay a penalty if:

- You are a member of an Indian tribe
- You do not have to file taxes because you earn below the filing threshold
- You are experiencing a hardship that prevents you from obtaining health insurance, such as a natural disaster
- You are not lawfully present in the U.S.
- Health insurance is unaffordable (your payments will cost more than 8% of your household’s income)
- You are in jail
- You are without health insurance for less than 3 continuous months

### How do I apply for an exemption?

Depending on the exemption, you will either apply with your state marketplace or you will claim it when you file your federal income taxes.

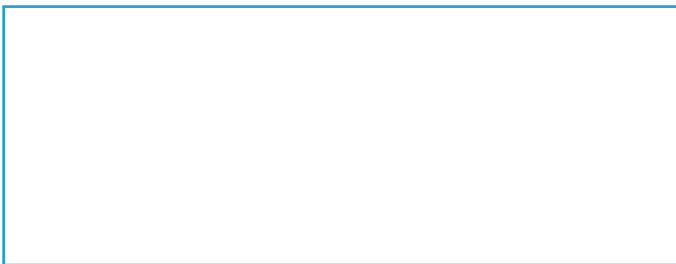


## How else can I get healthcare?

You do not need to have health insurance to receive primary medical care at community and migrant health centers. All health centers have a “sliding-scale fee” where the price you pay depends on your income and family size. In order to qualify for the sliding-scale fee, you will need to provide information about your income and family size to assist in determining what the charge will be for the services provided

**Call 800-318-2596** to speak with someone who can answer your questions or help you enroll! Help is available at anytime in Spanish and other languages.

You can also get help at:



HRSA Disclaimer: This publication is supported by grant number U30CS22741 from the Health Resources and Services Administration’s Bureau of Primary Health Care.

The contents of this publication are solely the responsibility of Farmworker Justice and do not necessarily reflect the official views of the Bureau of Primary Health Care or the Health Resources and Services Administration.

Farmworker Justice | 1126 16th St NW  
Suite 270 | Washington, DC 20036 |  
[www.farmworkerjustice.org](http://www.farmworkerjustice.org)

