

Affordable Care Act

Here's how the new health care law can help you



I don't have health insurance. How will the new health care law affect me?

The new health care law has sign up dates called **open enrollment**. During this time, you may be able to buy health insurance at a special store on the internet. The store is called the Marketplace. The next open enrollment starts November 15, 2015 and ends January 31, 2016. Here's what's good about buying health insurance there:



- The cost of the insurance depends on your income.
- You may get help paying the medical costs your health plan makes you pay (deductible and co-pays).
- The insurance company **can't** turn you down because you have health problems. And, they can't make you pay more because of your health problems.
- The Marketplace will help you pick the best health plan for you.

What if it's not open enrollment now? Is there any way I can buy health insurance at the marketplace now?

Some people can buy insurance during **special enrollment periods**. A special enrollment period lasts for **30 days** after a special event in your life. The special event is called a qualifying life event. **Examples:**

- The birth of a child
- Adoption of a child



- Marriage
- Divorce
- Losing a job
- Getting citizenship
- Getting out of jail

I tried to get insurance during open enrollment, but there was a problem and it didn't work. What can I do now?

Did a serious medical condition or natural disaster keep you from applying? Then you may meet the rules for a special enrollment period. **Examples:**

- You had an unplanned stay in the hospital **or**
- You had a short-term problem that made it hard to think clearly **or**
- You were in an earthquake, flood or tornado



You could also qualify for a special enrollment period **IF:**

- An insurance company, navigator, certified application counselor, or agent or broker gave you bad information. This made you:
 - Not get signed up for a plan **or**
 - Get signed up for the wrong plan **or**
 - Not get the lower cost or cost-savings you should have gotten **OR**
- There were other problems with the web site or call-in number **or**
- Tennessee said you couldn't get Medicaid. But Tennessee didn't transfer you back to the Marketplace in time to sign up.

Do you think you meet the rules for a special enrollment period? Then call the Marketplace at

1-800-318-2596 (TTY: 1-855-889-4325). It's a free call.

When you call, they will ask questions. This is to see if you can get a special enrollment period. If you meet the rules, they will help you apply and sign up for insurance.

I can't afford to pay for health insurance. What should I do?

You may be able to get help paying for a health plan on the Marketplace. And you may get help paying for the medical costs your health plan makes you pay. It depends on your income. Can you get this help, no matter which plan you buy? No. You **must** buy a health plan in the "silver" group. But you **can't** get help if your income is below the poverty level.



Examples:

If you are a single person with income of \$990 a month (\$11,800 a year):

- You don't meet the income rules. **BUT** you may be able to get TennCare Medicaid because of your disability, family or other facts. You can apply for TennCare Medicaid any time.
- Your income is too low to get help paying for an insurance plan. You have to pay full price for a Marketplace plan.
- When you apply for a Marketplace plan, they will tell you if you can get savings.

Are you a family of 4? Is your income less than \$2,025 a month (\$24,300 a year)?

- You can't get a plan based on just your income. But you may be able to get TennCare Medicaid. It is based on your family, disability and other facts. You can apply for TennCare Medicaid any time.
- Your income is too low to get help paying for an insurance plan. You have to pay full price for a Marketplace plan.
- When you apply for a Marketplace plan, they will tell you if you can get savings.



Middle-income families can also get help.

Are you a family of 4? Is your income between \$2,025 and \$5,062 a month (\$24,300 to \$60,750 a year)?

- You may be able to get a Marketplace health plan with lower monthly payments.
- It can also help pay the deductible and other health costs.

Are you a family of 4? Is your income between \$5,062 and \$7,932 a month (\$60,751 to \$95,188 a year)?

- You can get a Marketplace health plan with lower monthly payments.

How do I choose a health insurance plan?

Go to <http://finder.healthcare.gov/> on the internet. It will help you compare health plans and prices. You can also get help by calling the Marketplace at **1-800-318-2596** (for TTY/TDD, call 1-855-889-4325). They can tell you more about the new health care law. During open or special enrollment, they can help you choose a plan and sign up.

Since January 1, 2014, no health plan can turn you down because of poor health. This is true no matter how old or young you are.

Also, no plan can charge you more because of poor health.



The **ONLY** things health plans can charge you more for are:

- More than one family member getting health insurance
- Where you live
- Your age
- Using tobacco

I have Medicare. How will the Affordable Care Act affect me?

The new health insurance law will **not** change your Medicare. But it will make some things better for you. Already, health care to keep you well is free under the new law. This includes colon and breast cancer tests and flu shots. A yearly check-up is also free.

Lower costs in the donut hole

The donut hole is the time when some Medicare drug plans stop paying. You must pay all your drug costs until they add up to a certain amount. Already the new law has cut the cost of drugs in the donut hole. It will cut costs more each year until the donut hole closes in 2020. Then your Part D drug plan will pay \$3 out of every \$4 for your covered drugs.

Are you 65 or older but can't get Medicare unless you pay for Part A?

You can get insurance in the Marketplace under the new health care law. You may save on your monthly premiums. Or you may pay less out-of-pocket costs for private insurance.



I have TennCare Medicaid. How will the Affordable Care Act affect me?

The new health care law won't change anything for you while you keep your TennCare. If you lose your TennCare, it might give you more chances to get other insurance. What if you lose TennCare because they say you no longer fit any of the ways to get TennCare? Call your local Legal Aid office to see if they can help you appeal. You can apply for TennCare any time during the year.

How the New Health Law can help you

Are you a young adult under age 26? Do your parents have health insurance?

Does their insurance let them cover family members? Then the new Health Care Law lets you stay or get on your parents' insurance until your 26th birthday.



You don't have to have been on your parents' insurance before. You don't have to be in school. You don't have to live with your parents. You can even be married. You don't have to be listed on your parents' income tax. You don't have to be out of a job.

How can you get this insurance?

If you were already on your parents' plan on September 23, 2010, just stay on. What if you were not on your parents plan on September 23, 2010? Talk to your parents' employer or insurance company. Every year, there are open enrollment times when you get 30 days to sign up. Watch for this or ask about it. It's called **open enrollment**.

But what if **you could get health insurance at your own job?** Since **January 1, 2014**, it won't matter if **you could** get insurance at your job. You can still be on your parents' insurance until you are age 26.

Do you work at a small company that doesn't offer health insurance?



Make sure your boss knows he may get help paying for group health insurance for workers.

Find out more about the Small Business Health Options Program (SHOP) at www.healthcare.gov. Or call **1-800-318-2596**. Maybe your boss will give it a try.

Small companies and non-profits can get a Small Business Health Care **Tax Credit**. They must pay part of the insurance costs. They must have 25 workers or less. Most of the workers must be making less than \$50,000 a year.

To find out more about this, go to www.healthcare.gov on the internet. Or call **1-800-318-2596**.

Don't let a crook fool you!

Think a health plan might be a rip-off? Call the Tennessee Fraud Investigation office at **1-800-792-7573**. Ask if an insurance company is for real and has a license.

I don't want to buy health insurance. Will I have to pay a fee if I don't?

Yes, unless you are in one of the groups listed below. The fee can be figured 2 ways. You must choose the one that costs you **MORE**.



1. The 2016 fee is 2.5% of your yearly household income. The first \$10,150 one person makes doesn't count. Is there a limit to how much the fee is? Yes. The most you would pay is the national average cost for a Marketplace bronze plan.
2. **OR** the fee can be \$695 per person for the year. For children under 18, it is \$347.50 a year. The most one family would pay is \$2,085. Only people who don't have health insurance have to pay the fee.

What if you are uninsured for only part of the year? If you are uninsured for 1 or 2 months, there is **no** fee. What if you're uninsured for 3 months or more? Then you must pay 1/12 of the yearly fee for each month without insurance.

You will pay the fee on your tax return.

Does everyone have to buy health insurance or pay a penalty?

No. Are you in one of the groups below? Then you **don't** have to buy health insurance or pay a fee. **BUT** you do have to apply and be OK'd. Go to <https://www.healthcare.gov/exemption-form-instructions/> to get the application paper. Follow the steps.



You don't have to buy health insurance or pay a fee IF:

- You live in Tennessee, are single **AND** your yearly income for 2015 was \$16,242 or less. **OR** was less than \$21,983 for a couple **OR** \$33,465 for a family of 4.
- You don't have to file a tax return because of low income. In 2015, this amount was \$10,300 for single persons under 65 and \$20,600 for couples under 65.

- You were uninsured for no more than 2 months in a row in a year
- You can't find insurance you can afford. To meet this rule, the monthly payments must be more than 8.05% of your monthly income (2015 number).
- You are a member of an Indian tribe
- You are part of a religious group that has existed since December 31, 1950 **AND**
 - Is conscientiously against insurance, including Social Security and Medicare **AND**
 - Social Security Administration knows this
- You were in jail or prison
- You are a U.S. citizen who spent at least 330 full days outside of the U.S. during a 12-month period
- You are a U.S. citizen who lived in a foreign country for a full tax year
- You are a resident alien who is a citizen or national of a foreign country **AND**
 - The U.S. has an income tax treaty with a nondiscrimination clause with that country **AND**
 - You lived in a foreign country for the past year
- You are in the U.S. illegally
- You were homeless
- You were evicted from your home or were facing eviction or foreclosure
- You got a shut-off notice from a water, electric or gas company
- You were a domestic violence survivor
- One of your family members died
- A fire, flood or other disaster did major damage to your property
- You filed for bankruptcy
- You had medical expenses you couldn't pay and now have big debts
- You had big costs from caring for a sick, disabled or aging family member
- You are claiming a child as a tax dependent **AND**
 - The child was turned down for TennCare Medicaid and CHIP in 2015 **AND**
 - A court has ordered someone else to give medical support to the child.
 - In this case, you don't have to pay the penalty fee for the child.
- You were turned down for insurance but appealed and won **AND**
 - Now you can get a Marketplace plan with lower monthly payments **OR**
 - Get paid back for some costs for when you weren't on the Marketplace plan in 2015.

- You were turned down for TennCare Medicaid because Tennessee didn't open it up to more people in 2015.
- Your health insurance was cancelled after June 30, 2013 and you can't afford other Marketplace plans.
- If you experienced another hardship obtaining health insurance



Have more questions?

Go to our web site at www.las.org to see the latest news. Or go to www.healthcare.gov to find answers to many questions.

This booklet is not meant to take the place of legal advice. Each case is different and needs individual attention. 3/16



Legal Aid Society
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1-800-238-1443

It's a free call.

On the internet at www.las.org