

Private Health Insurance Options for Undocumented People ***By Aurora Health Access Coverage Work Group, August 2015***

One of Aurora Health Access's (AHA) three goals is to promote health by expanding coverage to everyone in Aurora. This guide describes the options undocumented individuals¹ have for obtaining health insurance. AHA developed this guide and the resource list to provide better information for those who work with and for Aurora's undocumented populations.

AHA has a Coverage Work Group, which includes several organizations working collaboratively to expand coverage in Aurora. The Coverage Work Group members looked into the process of purchasing health insurance for undocumented people.

Undocumented people who try to purchase health insurance through the Exchange (Connect for Health Colorado, also known as the Marketplace), are redirected to purchase health insurance "off-exchange" through the private sector. At AHA we heard from Aurora community members and health insurance guides that purchasing a private health insurance policy off-exchange is complex, confusing, and very time-consuming.

While it is unknown exactly how many of these individuals are "undocumented," according to the 2012 American Community Survey there were an estimated 43,276 non-citizens in Aurora². According to the Pew Research Center³, there are 180,000 undocumented immigrants in Colorado as of 2012; they make up about 34%-59% of Colorado's total immigrant population. Using these two pieces of data, a very rough estimate is that there are approximately 14,000 to 25,000 undocumented people living in Aurora⁴.

To find out which insurance companies offer insurance for undocumented people living in Aurora, our researchers first developed a list of all the insurance companies offering individual health insurance plans in Aurora. This included 10 companies: Anthem, Assurant Health, Access Health Colorado, Allsavers, Cigna, Colorado Health Op, Elevate, Humana, Kaiser Permanente Colorado, and Rocky Mountain Health Plan. Using the contact information for each company from their website, their customer service or sales departments were contacted to find out whether they sold health insurance policies to individuals who were undocumented and/or had no social security number.

Collecting this information was a challenge as the caller was transferred countless times, spent hours on hold, and the call was frequently disconnected while waiting. This guide is an attempt to shortcut this frustrating learning curve by sharing our findings. While this guide focuses on the options we found in Aurora, a similar approach would reveal options in other communities.

1. Are undocumented immigrants allowed to purchase health insurance through Colorado's Exchange, Connect for Health Colorado?

No. Only Lawful Permanent Residents (LPRs) are eligible to purchase insurance through the Exchange. Someone who is undocumented is not eligible to purchase insurance through the state's Health Insurance Exchange.

2. Are undocumented immigrants eligible to receive federal tax subsidies to purchase insurance?

No. To qualify for a government subsidy, an individual must be a U.S. citizen or a legal immigrant (examples are a naturalized citizen or someone otherwise legally present in the United States). To apply for a subsidy, documents can be requested that prove legal immigration status or citizenship. These include (but are not limited to) naturalization papers, green card, or work visa.

3. Are undocumented immigrants required to purchase insurance?

No. Undocumented individuals are exempt from the requirement of purchasing health insurance and will not be penalized for not having insurance when they file federal taxes.

4. If one member of a family is a lawful permanent resident (LPR) but another is not, can the lawful residents purchase health insurance through the Exchange?

Yes, if the family member is a LPR, they are eligible to purchase through the Exchange, but only for themselves, not for other family members who are not LPRs.

5. What options are available for undocumented individuals to purchase private health insurance?

a) *Employer-based Health Insurance:* If the person is employed, and their employer offers employee health benefits, they *may* be able to sign up without showing proof of immigration status for themselves and their family (if family coverage is offered).

b) *Student Health Insurance:* If the person is a student attending college or a university, they can purchase a health insurance policy from the school without being questioned about immigration status.

c) *Private Health Insurance:* Undocumented individuals are usually directed to purchase health insurance "off-exchange" or through the private sector. They are told to contact an insurance company directly, or an insurance broker/agent, since they cannot shop on the Exchange.

But it isn't that easy. At some point during the purchasing process, the individual will be asked for a social security number. Undocumented individuals do not have social security numbers. There is a form from the Colorado Department of Regulatory Affairs (DORA) that is required for all filed

individual and family plans, which requests a Social Security Number. (Colorado Uniform Individual Application for Major Medical Health Benefit Plans form.) And yet, as AHA verified with DORA, “There is nothing in Colorado insurance law or regulation that *requires* the individual to have a social security number in order to purchase health insurance.”

While it is not a legal requirement that an individual provide a social security number to purchase health insurance, of the 10 insurance companies offering individual plans in Aurora, AHA found only two--Colorado HealthOP and Kaiser Permanente Colorado--that would sell a policy *without* a social security number

Instead of a social security number, the Colorado HealthOP can use a 9-digit Individual Taxpayer Identification Number (ITIN)⁵, if the applicant has one. Even without an ITIN, the Colorado HealthOP will not deny any undocumented person from purchasing a policy. They will generate and assign a 9-digit number to allow the person to move forward with the electronic enrollment process.

Kaiser Permanente Colorado does not require a social security number to purchase off-exchange Individual and Family plans⁶. They will generate and assign a 9-digit number to allow the person to move forward with the electronic enrollment process.

Note: Kaiser Permanente Colorado also has a charitable health coverage program called the Colorado Bridge Program, which helps cover the cost for health insurance for low-income individuals that do not have access to any other coverage and meet specific eligibility requirements. Unfortunately, the Colorado Bridge Program is closed to new applicants at this time.

AHA extends its gratitude to Colorado HealthOP and Kaiser Permanente Colorado for their efforts to support this vulnerable population.

Aurora Health Access (AHA) is a community-based health alliance that has been working in Aurora, Colorado since 2010. Our mission is to collaboratively improve access to care and create a healthier Aurora. We work to do this by increasing access, expanding coverage, and building collaboration. To learn more, or to join us, please go to www.aurorahealthaccess.org

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Bibliography

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Colorado Sources

- 1) "Health Coverage Options for Immigrants in Colorado," by Colorado Covering Kids and Families, 2014.
<http://cchn.org/ckf/wp-content/uploads/2014/04/Immigrants-and-the-ACA-Factsheet2.pdf>

This fact sheet is in a question and answer (Q&A) format for options of healthcare coverage focusing on lawful immigrants with a mention of undocumented immigrants.

- 2) "Affordable Health insurance for Immigrant Families," by Colorado Health Initiative. Accessed July 13, 2015.
<http://cohealthinitiative.org/blog/2014-09-18/new-infographic-affordable-health-care-immigrant-families>

An infographic depicting options for legal immigrant to obtain health insurance; mentions two options for undocumented individuals to obtain insurance.

- 3) "Blue Guide Colorado," by the Colorado Consumer Health Initiative. Accessed July 13, 2015.
<http://blueguide.cohealthinitiative.org/>

The purpose of this site is to help people locate the healthcare options and resources available to uninsured or underinsured Coloradans.

National Sources

- 4) "Comprehensive Review of Immigrant Access to Health and Human Services," by Karina Fortuny Ajay Chaudry, The Urban Institute, 2011.
<http://aspe.hhs.gov/hsp/11/ImmigrantAccess/Review/>

A report submitted to Department of Health and Human Services Office of Assistant Secretary on the current state of an immigrants' eligibility for, and access to, health and human services from a review of literature and existing information. The article contains: useful term definitions, overview of federal policy, federal programs and state provisions, immigration enforcement policies, and barriers to attaining health and human services (33-page report).

- 5) "The Facts about the Affordable Care Act and Immigration Enforcement," by Alejandro Mayorkas, Deputy Secretary of Homeland Security, 2014
<https://www.whitehouse.gov/blog/2014/12/03/facts-about-affordable-care-act-and-immigration-enforcement>

A blog published by the White House (Spanish available as well) confirming that enrolling in health coverage through the Exchange – and using the health insurance that this important law extends to eligible individuals – will not prevent family members who are undocumented from getting a green card in the future or put family members who do not yet have a green card at risk of deportation.

- 6) "What Is an Off-Exchange Health Insurance Plan?" by healthpocket.com. Accessed July 10, 2015.
<http://www.healthpocket.com/obamacare/off-exchange-health-plans#.VTqBShzF9q0>

Article in Q&A format on what an off-exchange health insurance plan is, how it differs from on-exchange plans, and where to purchase off-exchange plans.

- 7) “Undocumented Immigrants in the United States: U.S. Health Policy and Access to Care,” by Michael K. Gusmano, 2012.

<http://www.undocumentedpatients.org/issuebrief/health-policy-and-access-to-care/>

Issue Brief by the Hastings Center that covers what undocumented immigrants are ineligible for and how some may qualify for deferred status and become eligible for public healthcare coverage.

- 8) “Unauthorized Immigration,” by Pew Research Center. Accessed July 10, 2015.

<http://www.pewresearch.org/topics/unauthorized-immigration/pages/3/>

This site contains many publications on the topic of unauthorized immigration including population size in the U.S. by state, trends, public views, the effect of new immigration laws etc. It is known to be a reputable source and gathers its population estimates of 2005-2012 through the augmented American Community Survey data from Integrated Public Use Microdata Series (IPUMS).

- 9) “Immigrants and the Affordable Care Act,” by National Immigration Law Center. Accessed July 13, 2015.

<http://www.nilc.org/immigrantshcr.html>

Explains how the Affordable Care Act applies to undocumented immigrants.

- 10) “Frequently Asked Questions Immigrants, Taxes, and the Affordable Care Act,” by National Immigration Law Center, February 2015.

http://www.cohealthinitiative.org/sites/cohealthinitiative.org/files/attachments/Immigrants_ACA_and_taxes_FAQ.pdf

This fact sheet describes who is required to buy insurance and who is not required based on their immigration status. It also clarifies confusion about the need of a social security number (SSN) or an individual taxpayer identification number (ITIN).

- 11) “Healthcare Options for Undocumented Immigrants,” by Lisa Zamosky, Los Angeles Times, April 2014.

<http://touch.latimes.com/#section/-1/article/p2p-79949538/>

A news article explaining the difficulties of attaining health insurance for undocumented immigrants and how insurance may be attained in California.

Hyperlink instructions: Press “ctrl” and “left click” the link **or** copy and paste into browser’s url. If the links are no longer current, and you cannot find the article, please contact AHA at admin@aurorahealthaccess.org. We probably have them in our archives.

Endnotes

¹ Undocumented Immigrant/Individual

For the purposes of this paper, the term “undocumented” refers to immigrants who are not Lawful Permanent Residents (LPR), refugees, or asylees, deferred action for childhood arrivals (DACA) and have not otherwise been granted permission under specific authorized temporary statuses for lawful residence and work in the United States. LPR refers to people lawfully admitted to live permanently in the United States by either qualifying for immigrant visas abroad or adjusting to permanent resident status in the United States. Please note that there may be limitations to this definition and other terms may be used to describe the same population.

² Noncitizen

Noncitizens include legal permanent residents, temporary migrants, unauthorized immigrants and other resident statuses. The American Community Survey does not include a question on legal status of a resident; therefore, the brief compares only the characteristics of citizens with noncitizens. This term is used because it reflects the most accurate estimate of the immigrant population and from this number the estimate of the undocumented population is derived. There are limitations in the estimate of the undocumented population due to many barriers in directly tracking this population. The question of whether or not an individual is lawfully residing in the United States does not get asked, in part, due to the self-incriminating nature of the question. Individuals are also likely to conceal their status out of fear of deportation of themselves or their family. This population may also periodically fluctuate due to voluntary returns to the home country or ongoing deportation efforts.

³ Unauthorized Immigration by Pew Research Center accessed July 10, 2015.

<http://www.pewresearch.org/topics/unauthorized-immigration/pages/3/>

⁴ Assumptions

- a. For purposes of this paper, we are taking the the American Community Survey’s definition of “non-citizen” (mentioned above in endnote 2) and the Pew Research Center’s definition of “undocumented immigrant” (mentioned above in endnote 3) as comparable for purposes of this paper.
- b. Assumption that the number of undocumented people as a percentage of immigrants in Aurora as a city within Colorado is reflective of the state at large.
- c. Therefore: $43,276$ (non-citizens in Aurora) \times $.34$ (the bottom estimate of the percentage of undocumented people in Colorado out of the total number of immigrants) = $14,713$.
 $43,276$ (non-citizens in Aurora) \times $.59$ (the top estimate of the percentage of undocumented people in Colorado out of the total number of immigrants) = $25,532$. Thus we estimate the range to be $14,000$ to $25,000$ undocumented people living in Aurora.

⁵ Individual Taxpayer Identification Number (ITIN)

An ITIN is issued by the Internal Revenue Service (IRS). The IRS issues ITINs to individuals who are required to have a U. S. Taxpayer identification number, but who do not have, and are not eligible to obtain a social security number.

⁶ IRS Reporting

All health plan issuers of fully insured group coverage are subject to Internal Revenue Code 6055 and must report to the IRS annually on the minimum essential coverage it provides for all enrolled individuals. Therefore, health plan issuers must also provide statements to subscribers. This means Kaiser Permanente will send a letter to any subscribers that did not provide a SSN asking for a SSN if one is available. If a SSN is not available the subscriber will need to state they do not have an SSN.