



# Immigrants and Coverage Affordable Care Act

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Safe Table Forum: Health Care Access for  
Immigrants in Washington State  
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# Overview

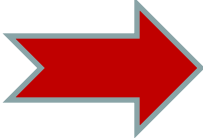
- Citizenship/Immigrant Definitions
- Estimates of foreign-born in the U.S. by type of immigration status – US and WA
- Impact of Affordable Care Act coverage expansions
- Implication for state policy and local safety net programs

# Some definitions

|   |   |  |
|---|---|--|
| Legally-Resident Immigrants             |   |  |
| Legal Permanent Resident or Legal Alien | Noncitizen, legally admitted                    | -Has authorization to work in U.S. ( <i>Green Card holders</i> )<br>-Married to US citizen |
| Asylees/Refugees                        | Noncitizen, legally admitted                    | -Admitted for fear of prosecution in home country  |
| Non-Immigrants                          |   |  |
| Non-Citizen Temporary Immigrants        | Noncitizen, temporary visitor, legally admitted | -Travelers, business people, students, others  |
| Non-Legal Immigrants                    |   |  |
| Unauthorized (non-legal) Alien          | Noncitizen, no legal authorization              | -Entered with no or false documents<br>-Overstayed temp visa                               |

# A few more definitions.....

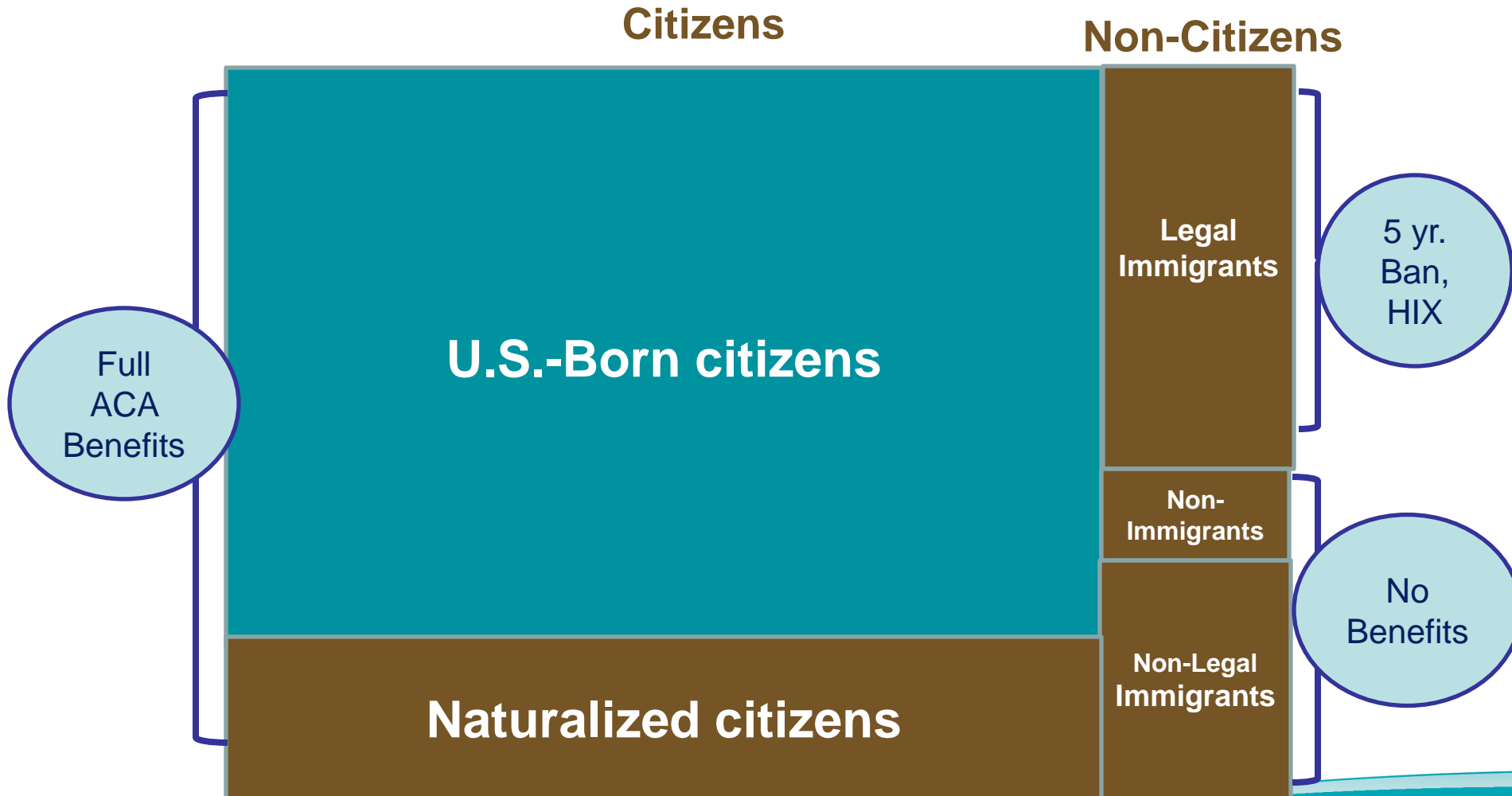
- Natural-born citizen: someone born in the U.S. or born to U.S. citizen parent (s) living in another country
- A **naturalized citizen**: someone born in a foreign country, but took a series of steps and was granted citizenship.
  - Has been a legal resident of the U.S. at least 5 yrs.
  - Is age 18 or older
  - Has knowledge of the English language and history of the U.S.



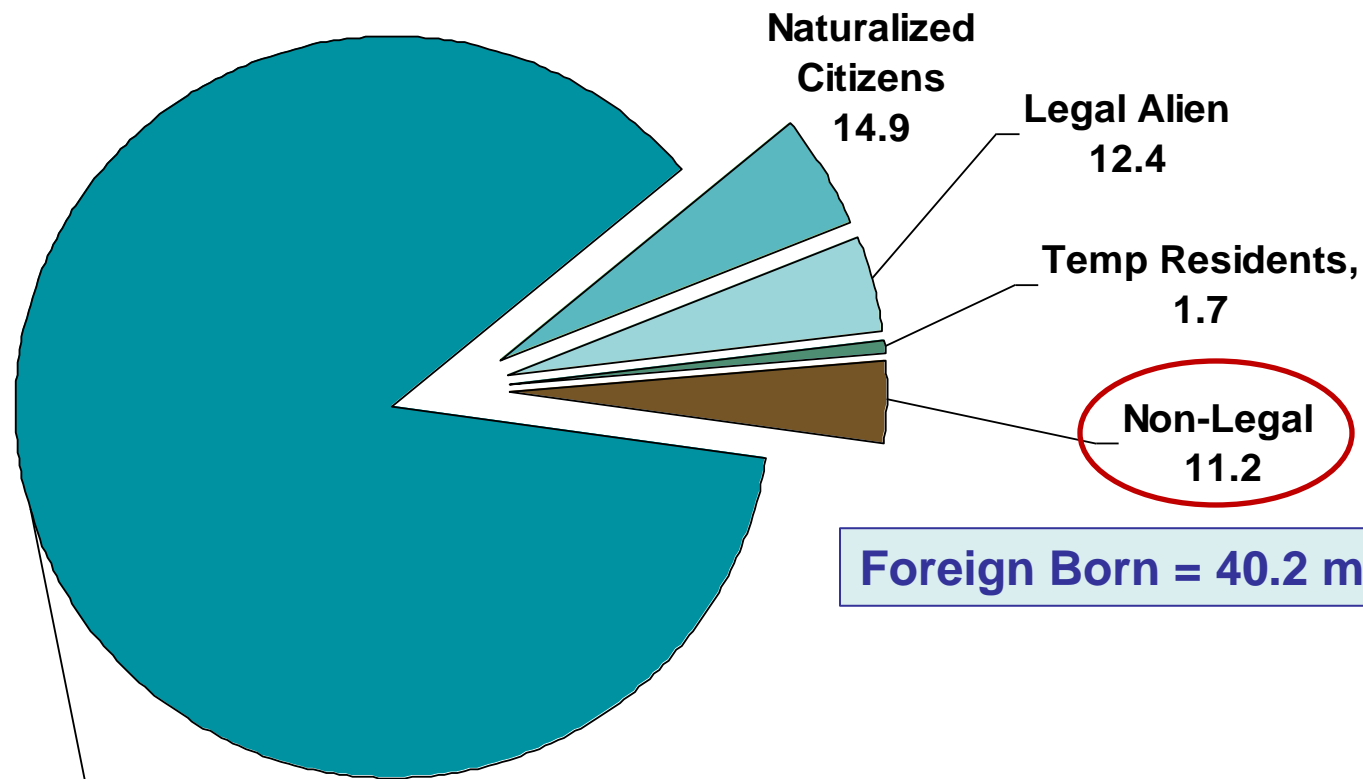
**naturalized citizens** have all the rights and responsibilities of a U.S. **citizen**, except are barred from serving as President or Vice President

# US Population by Citizenship Status and an ACA preview

 = Foreign Born



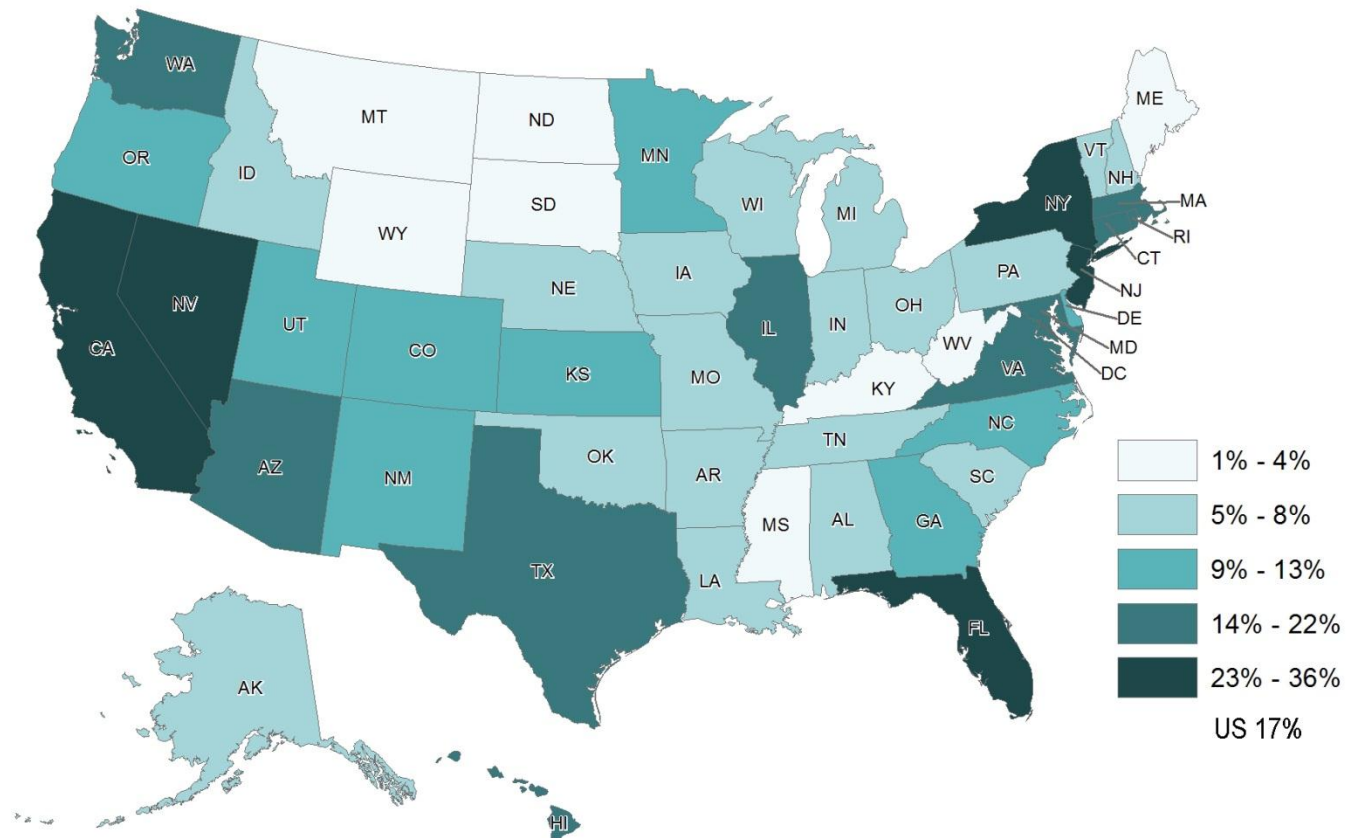
# Foreign-Born Persons in the US (2010, in millions)



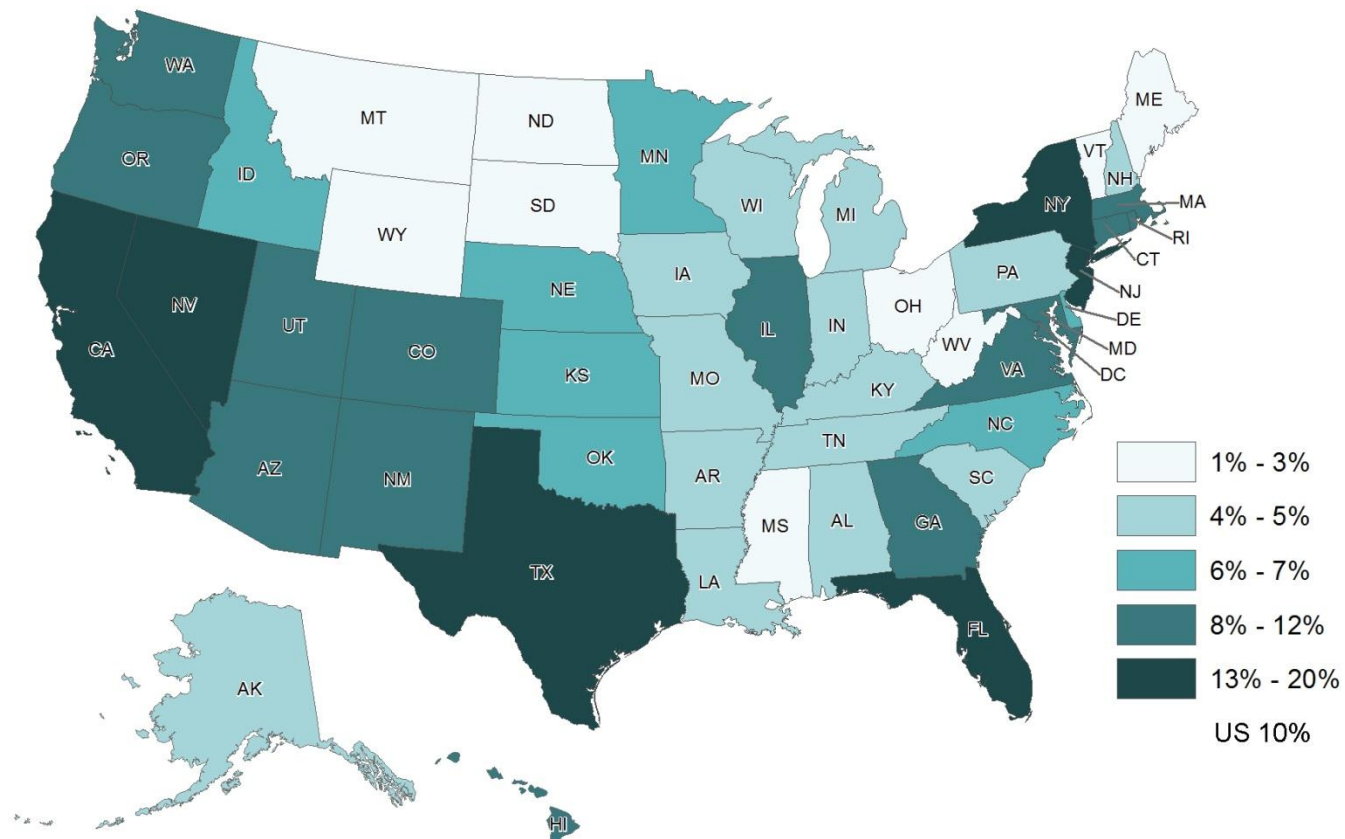
US-Born Citizen = 265.8 million

Foreign Born = 40.2 million

# Percent of Non-Elderly Adults who were Foreign Born, 2010



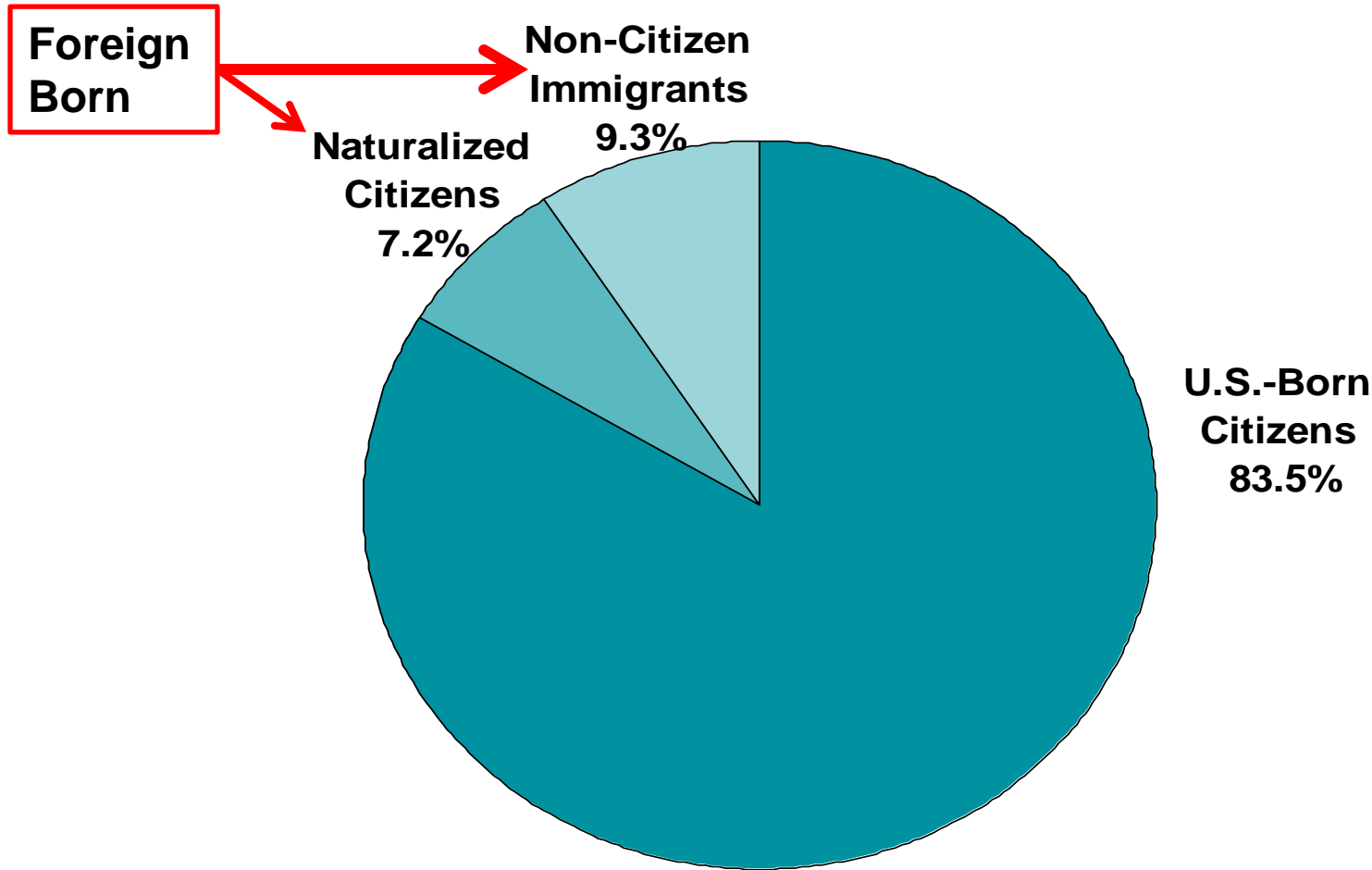
# Percent of Non-Elderly Adults who were Non-Citizens, 2010





# Washington State

# Non-Elderly Adults (age 19-65) by Citizenship Status, Washington State 2010



Source: American Community Survey as analyzed by SHADAC , 2010

# Characteristics of Non-Elderly Adults (age 19 to 64) State of Washington 2010

|                                    | U.S. Born Citizens | Foreign Born Citizens | Non-Citizens |
|------------------------------------|--------------------|-----------------------|--------------|
| <b>Total</b>                       | 3,504,939          | 303,154               | 388,610      |
| <b>Percent</b>                     | 83.5%              | 7.2%                  | 9.3%         |
| <b>Age</b>                         |                    |                       |              |
| <b>19 to 25</b>                    | 15.9%              | 7.8%                  | 17.0%        |
| <b>26 to 34</b>                    | 18.9%              | 16.6%                 | 29.3%        |
| <b>35 to 44</b>                    | 20.3%              | 26.9%                 | 28.6%        |
| <b>45 to 54</b>                    | 23.8%              | 27.1%                 | 16.5%        |
| <b>55 to 64</b>                    | 21.1%              | 21.6%                 | 8.5%         |
| <b>Race/Ethnicity</b>              |                    |                       |              |
| <b>Hispanic</b>                    | 5.3%               | 16.8%                 | 46.6%        |
| <b>White non-Hispanic</b>          | 84.3%              | 24.8%                 | 21.9%        |
| <b>Black Alone non-Hispanic</b>    | 3.1%               | 5.4%                  | 3.9%         |
| <b>Asian Alone non-Hispanic</b>    | 2.0%               | 49.5%                 | 25.8%        |
| <b>Multiple/Other non-Hispanic</b> | 5.3%               | 3.4%                  | 1.9%         |

Source: Estimates based on analysis of American Community Survey by SHADAC 2012

# Characteristics of Non-Elderly Adults (age 19 to 64) Washington State 2010

|                               | U.S. Born Citizens | Foreign Born Citizens | Non-Citizens |
|-------------------------------|--------------------|-----------------------|--------------|
| <b>Educational Attainment</b> |                    |                       |              |
| <High School                  | 6.5%               | 15.2%                 | 35.2%        |
| High School                   | 24.1%              | 19.2%                 | 22.0%        |
| Some College                  | 39.8%              | 31.7%                 | 17.9%        |
| College or More               | 29.7%              | 33.8%                 | 24.9%        |
| <b>Income</b>                 |                    |                       |              |
| 0-138 FPG                     | 23.8%              | 19.5%                 | 43.0%        |
| 139-200 FPG                   | 8.5%               | 10.0%                 | 13.5%        |
| 201-400 FPG                   | 26.3%              | 29.3%                 | 20.4%        |
| 400+ FPG                      | 41.4%              | 41.3%                 | 23.1%        |
| <b>Employment Status</b>      |                    |                       |              |
| Full-Time                     | 60.0%              | 64.4%                 | 54.3%        |
| Part-Time                     | 23.0%              | 22.8%                 | 30.2%        |
| Not working                   | 17.0%              | 12.8%                 | 15.5%        |

Source: American Community Survey as analyzed by SHADAC, 2010.

# Characteristics of Non-Elderly Adults (age 19 to 64) Washington State 2010

|                           | <b>U.S. Born Citizens</b> | <b>Foreign Born Citizens</b> | <b>Non-Citizens</b> |
|---------------------------|---------------------------|------------------------------|---------------------|
| <b>Insurance Coverage</b> |                           |                              |                     |
| <b>Employer</b>           | 66.8%                     | 64.5%                        | 39.9%               |
| <b>Direct Purchase</b>    | 7.3%                      | 7.5%                         | 6.3%                |
| <b>Public</b>             | 9.2%                      | 8.1%                         | 8.4%                |
| <b>Uninsured</b>          | 16.7%                     | 19.9%                        | 45.4%               |
| <b>Health Status*</b>     |                           |                              |                     |
| <b>Poor/Fair Health</b>   | 11.1%                     | 9.0%                         | 8.9%                |

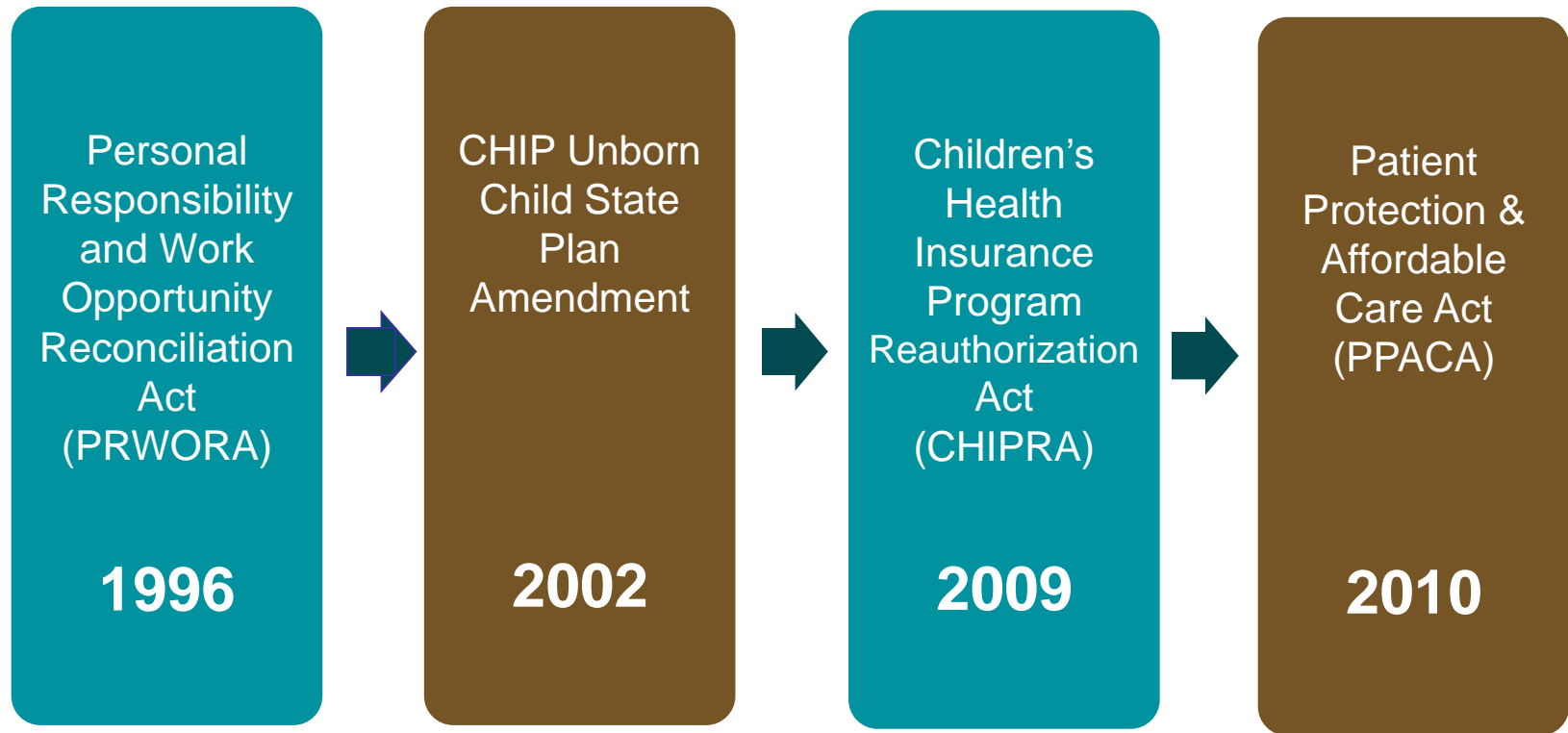
Sources: American Community Survey as analyzed by SHADAC, 2010. (\*) Current Population Survey as analyzed by SHADAC, 2011.

## Summary of differences between U.S Born and Foreign Born non-elderly Adults - WA

- **Non-Citizens are more likely to be**
  - Young
  - Hispanic
  - Working part-time
  - Low income
  - Less likely to have graduated from high school
  - More likely to be uninsured
  - Health status not significantly different

# **Federal policies on immigrant access to coverage**

# Federal policies on immigrants' access to coverage





# PRWORA 1996 and the Infamous **Five-year Ban**

- PRWORA made legal immigrants ineligible for federal “means-tested” public benefits until having resided legally in U.S. for 5 years
- Also deemed undocumented immigrants ineligible for state and local benefits
- States needed to enact special legislation after 1996 in order to cover undocumented immigrants or those excluded under 5-year ban

# CHIP Un-Born Child Option of 2002

- Provides federal match for funds to cover pregnant women regardless of immigration status
- This option essentially covers services for the un-born child which has no immigration status
- 14 states currently receive funds through the unborn child option

# Immigration Children's Health Improvement Act

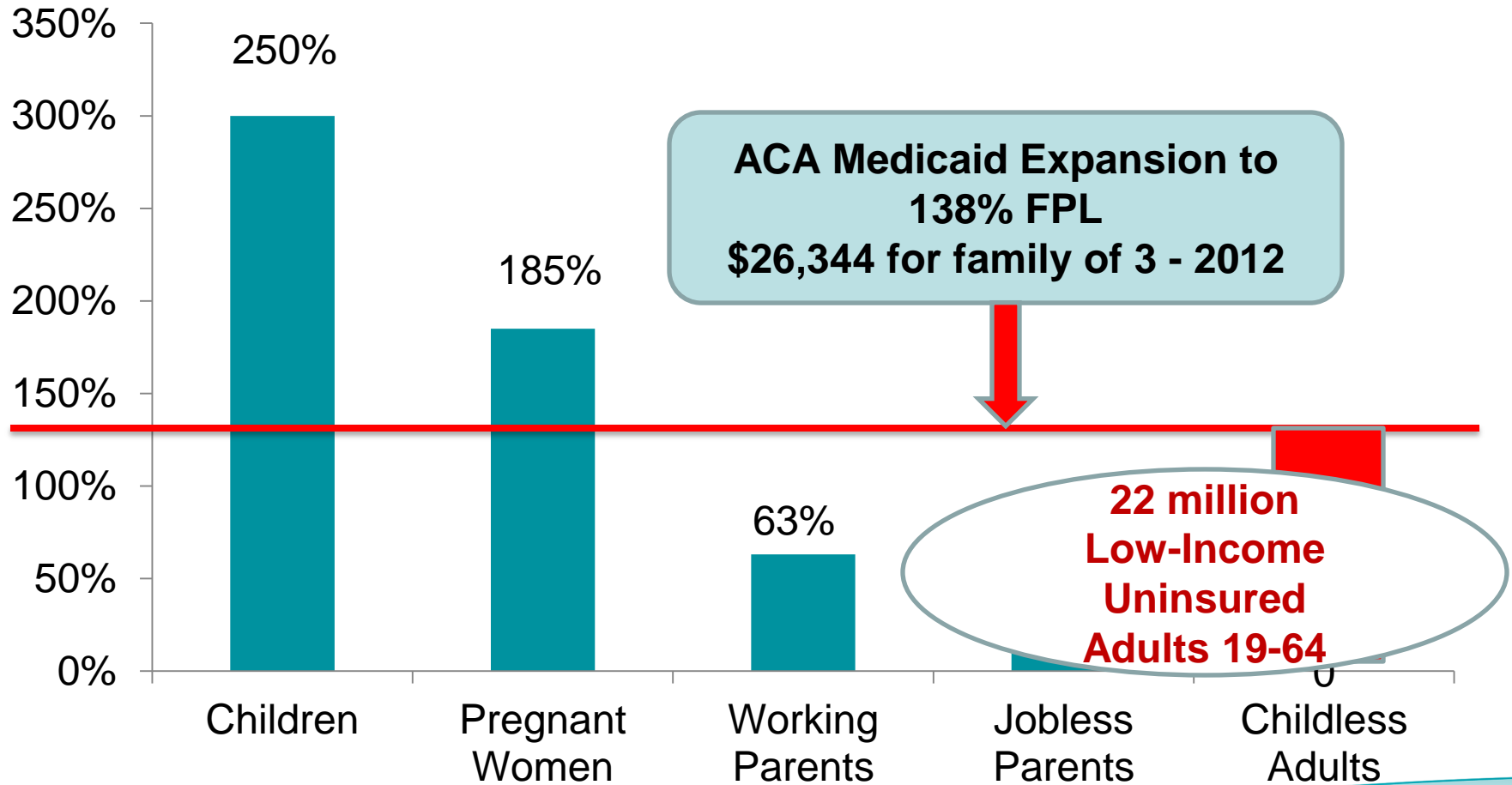
- Included as part of CHIPRA- Children's Health Insurance Program Reauthorization Act- 2009
- As of 2009, states now eligible to receive federal matching funds to cover *income-eligible pregnant women and children* previously under 5-year ban
  - 17 States and the District of Columbia have chosen to cover both pregnant women and children under this law
  - 5 States have chosen to cover children under this law
  - 1 State has chosen just to cover pregnant women under this law

# Affordable Care Act

# Key provision of the ACA

1. Medicaid expansion and uniform eligibility -  
*now optional*
2. Private insurance market
3. Temporary high-risk pool
4. Health insurance exchange
5. Individual and employer mandate with penalties
6. Delivery system and payment reform

# U.S. Medicaid/CHIP Income Eligibility Thresholds-2012



Source: Based on the results of a national survey conducted by the Kaiser Commission on Medicaid and the Uninsured and the Georgetown University Center for Children and Families, 2012.

# Exceptions to the Individual Mandate

- Financial hardship
- Religious objections
- American Indians and Alaska Natives
- Incarcerated individuals
- Those for whom the lowest cost plan option exceeds 8% of income, and
- Those whose income is below the tax filing threshold

***And the Undocumented***

# What does national health reform mean for immigrants?

- Naturalized citizens
  - Same access as US-born citizens
- For legal immigrants:
  - Waiting period of five years for Medicaid/CHIP eligibility stands
  - Required to purchase coverage under individual mandate provisions with associated tax penalties
  - May participate in new federal or state or federal health insurance exchange and receive tax credits
  - Exchange application will require verification of legal status



# For Non-Legal Immigrants

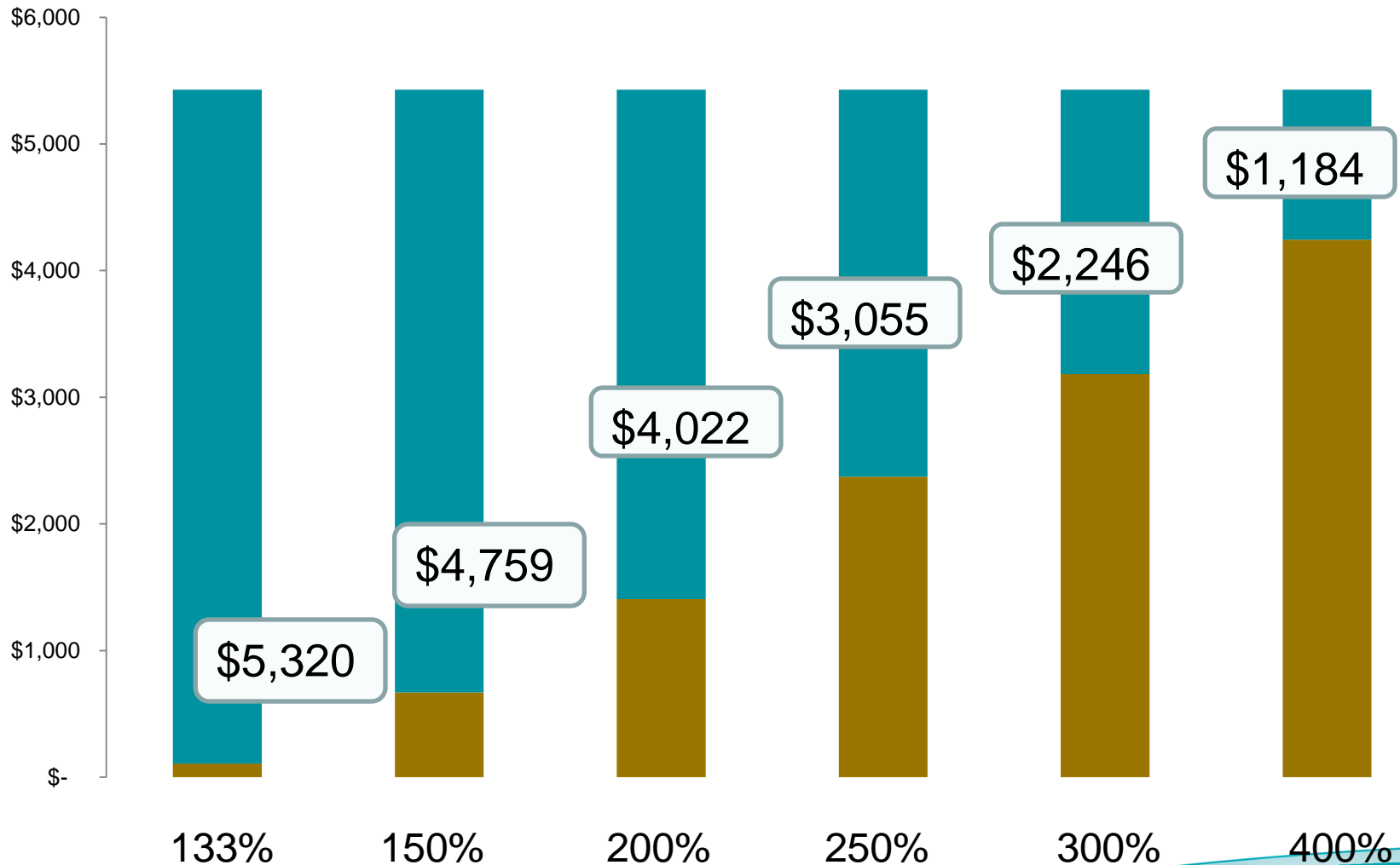
- Cannot participate in Health Insurance Exchange ***even if willing to purchase at full cost***
- Exempt from the Individual Mandate (no penalties assessed for not having coverage)
- Not eligible for Medicare, Medicaid or CHIP
- Remain eligible for emergency Medicaid if low-income

## Children born in U.S. to non-legal parent(s)

- Children are considered U.S. Citizen
- Eligible for Health Insurance Exchange with subsidies and tax credits
  - *Verification of U.S. citizenship and income required*
- May be eligible for Medicaid and CHIP for low-income
  - *Verification of U.S. citizenship and income required*

# Subsidy Amount in the Exchange by FPL

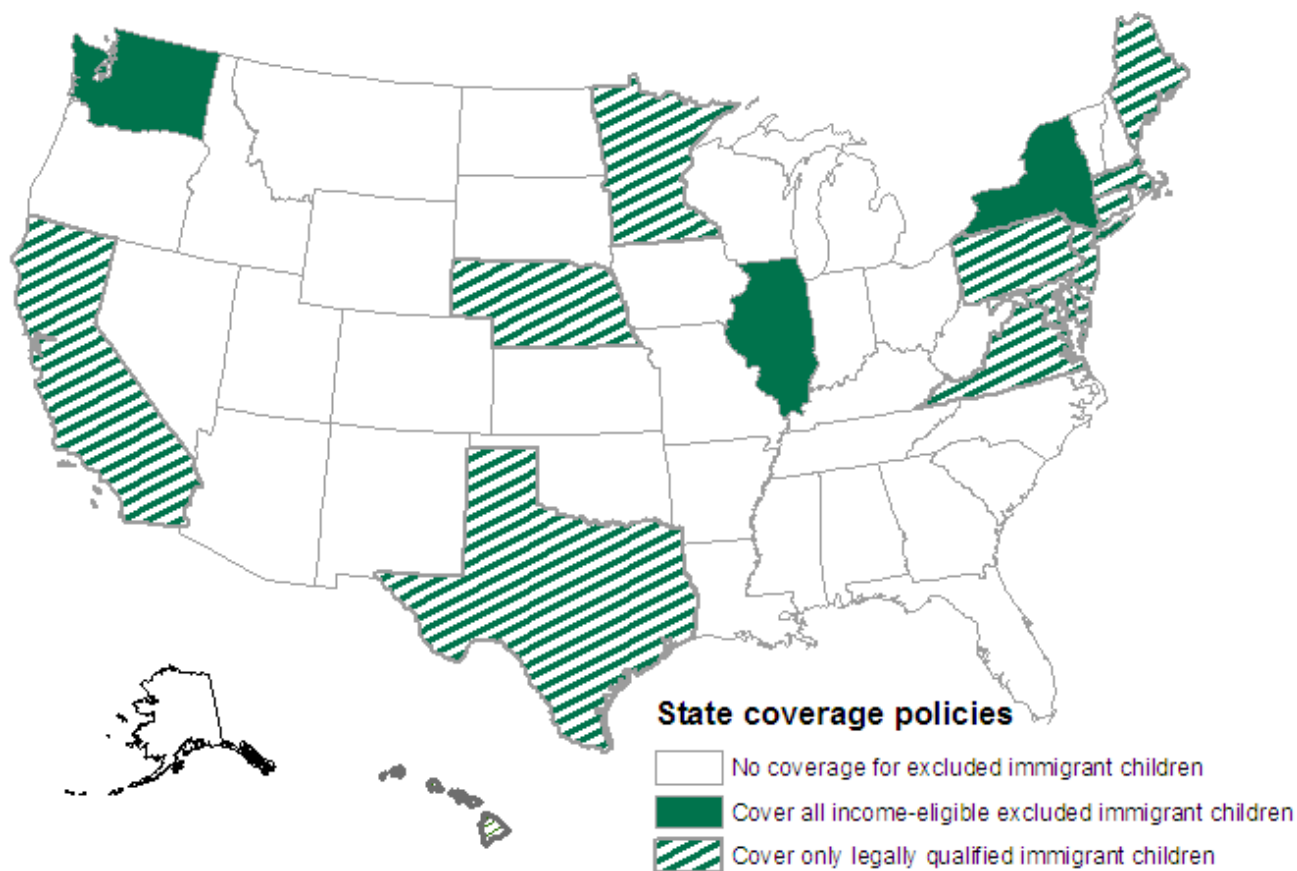
Average 2011 US Premium for  
Single Coverage \$5,429



# State initiatives to cover excluded immigrant children

- Before 2009, all coverage extended to excluded immigrant children was state-funded (no federal match)
  - 17 states extended coverage to legal immigrant children residing in U.S. < 5 years
  - Only 4 of these states cover undocumented children (IL, MA, NY, DC)
  - Some counties in CA cover undocumented children

# State initiatives to cover excluded immigrant children



Source: Kaiser Commission on Medicaid and the Uninsured, 2009

# Key Summary Points

- A substantial number of immigrants are excluded from ACA expansions and the five year ban lives on
- **Legal immigrants** are not eligible for Medicaid for five years, but will be mandated to purchase coverage and allowed to participate in exchanges
- Some states have made efforts to cover children regardless of immigration status
- Remaining uninsured immigrants are likely to continue to seek care at CHCs and in community hospitals as uncompensated charity care
  - *Remember EMTALA*

# How can states address coverage gaps?

- Understanding the estimated scope of the population without coverage will help states and safety-net providers develop strategies on how to cover the gaps
  - Who are they, where do they live, where do they get care now?*
  - Use data/information to better target new safety net programs*
- Leverage new FQHC/CHC funding
- As federal Medicare and Medicaid Disproportionate Share Payments (DSP) are reduced over time – continue to assess financial needs of public safety net hospitals

# Consider alternative safety net programs e.g. Local Access to Care Programs (LACPs)

- Nevada – Access to Healthcare Network
- Massachusetts – Health Safety Net
- Healthy San Francisco

Local Non-Profit organization to develop network of providers who contractually agree to provide free or reduced cost care to an enrolled population



# Concluding thoughts

- Even with full ACA implementation and before Medicaid expansions were ruled as optional by the Supreme Court – there were still going to be 20 Million uninsured
- Still a significant need for safety net services, providers, systems
- Non-legal immigrants are here and have health care needs – *do we continue to ignore their needs?*
- We still pay for their care in inefficient and costly ways
  - *Uncompensated care in community hospitals, state/local funding of public hospitals*

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