



The Affordable Care Act and You

A Guide to the 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.

