

Domestic Violence and the Affordable Care Act



**ARIZONA COALITION TO END SEXUAL
AND DOMESTIC VIOLENCE**

Adapted from presentation and materials from Futures Without Violence

Domestic Violence and Health Care



- Health effects of domestic violence are long lasting and have substantial financial costs
 - 81% of women who have experienced rape, stalking, or physical violence from an intimate partner experience significant short or long term impacts such as PTSD (CDC, 2010)
 - Women who have experienced abuse are more likely to report having asthma, diabetes, and irritable bowel syndrome than women who did not experience these types of violence (CDC, 2010)
 - Men and women who experience these forms of violence are more likely to report health problems such as:
 - ✦ Frequent headaches
 - ✦ Chronic pain
 - ✦ Difficulty sleeping
 - ✦ Poor physical health
 - ✦ Poor mental health

Domestic Violence and Health Care



Costs associated with domestic violence each year

\$8.3 Billion



(CDC, 2003)

Intervention with a health care provider, along with access to services for domestic violence have shown to make a difference in health and long term outcomes

Affordable Care Act



- Signed into law in 2010
- Reformed health care system
- Expanded coverage and makes coverage more affordable to consumer
- Insurance companies can no longer terminate your coverage if you become sick
- Cannot deny coverage based on pre-existing conditions
- Being a woman can no longer be considered a pre-existing condition
- Can remain on parents health insurance until 26

Coverage Options



- Health Insurance Marketplace

- Healthcare.gov
- Can only apply during Open Enrollment
 - ✦ Open Enrollment starts again on Nov. 1st 2015
- Shows all plans available in your area and allows you to enroll and “shop” online for coverage

- Medicaid

- Arizona Health Care Cost Containment System (AHCCCS)
- States can expand Medicaid services
- Can apply at any time

Coverage Eligibility



- Health Insurance Marketplace

- Citizen of the US
 - ✦ Not incarcerated
- Legally present immigrants
 - ✦ Individuals who are subject to the 5-year immigration bar

- Medicaid/AHCCCS

- Adults age 19-64 with incomes at/below 133% FPL
- Former foster care children are eligible until 26

ACA and Domestic Violence



- Starting in 2012 Health Insurance Plans must cover screening and counseling for domestic violence
- January 2014 – Insurance companies cannot deny coverage to victims of domestic violence
- April 2015 – Special Enrollment Period for survivors of domestic violence

Domestic Violence Screening



- Screening for past/current violence and abuse
- Most commonly asked during women's annual well women exam
- Practice of screening is still evolving
- Currently does not apply to “grandfathered plans”

Special Enrollment Period



- Some people are eligible to enroll in the Marketplace outside of open enrollment
 - Native Americans can enroll at any time
 - Significant life changes
 - ✦ Having a baby
 - ✦ Moving to a new state
 - ✦ Getting married
 - Losing coverage due to life circumstances may trigger a SEP

Special Enrollment Period



- Survivors of domestic violence can now enroll in coverage year round
- Must use call center to start the application
 - Cannot enroll online for the SEP for DV
- Must use the phrase “survivor of DV”
- No documentation is needed
- 60 days to pick a plan and enroll after SEP is granted

Special Enrollment Rule for DV



- Special enrollment rule for survivors who are still married
- Rule allows survivor to apply for their own benefits separately and based on their income only
- To qualify they must be:
 - Legally married
 - Live apart from their spouse
 - Plan to file taxes separately
- When applying, survivors should mark “unmarried” on their application even though they are still married
- No documentation is needed to prove domestic violence
 - Will need to “attest” on taxes

Hardship Exemption



- ACA establishes a penalty for those who do not have health insurance
- DV survivors are eligible for a tax waiver
- Hardship exemption application is online at healthcare.gov
- No documentation is needed to prove DV

Hardship Exemption



- How to file for the exemption:
 - Survivors must mail application before they file taxes
 - Waiver takes about 2-3 weeks to be approved

Advocates' Role



- Support survivors who want to get involved
- Provide information about options that are available for survivors of domestic violence
 - Toll-free call center: 1-800-318-2596
 - Healthcare.gov
 - In-person assistance: <https://localhelp.healthcare.gov>

For More Information



- www.healthcaresaboutipv.org
- www.healthcare.gov

