

# 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. 1<sup>st</sup> 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](http://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](http://www.healthcaresaboutipv.org)
- [www.healthcare.gov](http://www.healthcare.gov)

