

Helping Newlyweds Enroll in the Marketplace Outside Open Enrollment

July 8, 2014

This assister fact sheet is a companion document to the consumer fast sheet on Helping Consumers Enroll in Special Enrollment Periods in the Health Insurance Marketplace and contains the same information with additional details pertinent to assisters facilitating consumer enrollment.

From setting up a house to dividing household chores, newlyweds have a lot on their minds. As assisters, you can make sure that newlyweds understand why health insurance coverage for their new family should be on the top of the list. You can help them start their marriage with peace of mind—and health insurance.

The Open Enrollment Period for private individual health insurance in the Marketplace for 2014 is now closed. However getting married triggers a special enrollment period (SEP) that allows someone to enroll in a qualified health plan (QHP) outside of the Open Enrollment Period.ⁱ

Don't forget to remind consumers, including newlyweds, that if they don't have health insurance or other minimum essential coverage or don't have an exemption, they may have to pay a shared responsibility payment for not having minimum essential coverage.ⁱⁱ Additionally, be sure to inform consumers that married couples filing separately for Federal income taxes are not eligible for advance premium tax credits (except for victims of domestic abuse).ⁱⁱⁱ

Enrolling in QHP Coverage for the First Time

The SEP for marriage is available to all qualified individuals, even if they were previously not enrolled in a QHP. Consumers have 60 days from the date of the marriage to use this SEP and select a QHP.^{iv}

Consumers may apply for this SEP and Marketplace coverage online at HealthCare.gov or by calling the Call Center at 1-800-318-2596. TTY users should call 1-855-889-4325. Remember:

Marketplace Open Enrollment ended March 31, 2014. Consumers can now buy a Marketplace health plan **only** if they qualify for an SEP. Consumers can enroll in Medicaid and CHIP at any time. Open Enrollment for 2015 QHP coverage starts November 15, 2014.

Existing QHP Coverage and Reporting the Change

A newly married consumer, or consumers, who are already enrolled in a QHP in a Marketplace, will be eligible to change QHPs if they want to, or add their dependent (new spouse) to their existing plan, if they receive an SEP.^v Be sure to remind consumers that they must report an event, such as marriage, to the Marketplace in order to claim their SEP. Consumers should ensure to terminate any coverage which is no longer applicable. Consumers have 60 days from the date of the marriage to exercise this SEP and select a QHP.^{vi}

The Marketplace will also calculate whether the change in status will affect the newly married consumers' coverage options or eligibility for advance premium tax credits and cost-sharing reductions. Consumers should report these changes online at HealthCare.gov or by calling the Call Center at 1-800-318-2596. TTY users should call 1-855-889-4325.

Coverage Effective Date

When a consumer enrolls in a QHP or changes QHPs due to an SEP based on marriage, their coverage will become effective the first day of the month following plan selection.^{vii}

Medicaid or CHIP Coverage

A newlywed's new household size or income may make them eligible for Medicaid or CHIP coverage, which are combined state and federal programs that provide coverage to low-income families and children, pregnant women, the elderly, people with disabilities, and, in some states, other adults. Consumers may find out if they are eligible for Medicaid or CHIP by completing an online Marketplace application and reviewing the eligibility determination notice.^{viii} Some states have expanded Medicaid to cover all adults below a certain income level. You can help consumers find out whether their state has expanded Medicaid and what their options are. Consumers may also apply directly to their state Medicaid agency.

Same-sex Spouses in the Marketplace

2015: For coverage starting in 2015, an insurance company that offers health coverage to opposite-sex spouses must do the same for same-sex spouses. Many insurers already offer this protection.^{ix} As long as a couple is lawfully married in a jurisdiction that recognizes the marriage, an insurance company can't discriminate against them when offering coverage. This means that it must offer to same-sex spouses the same coverage it offers to opposite-sex spouses. This is true regardless of the state where: 1) either spouse lives; 2) the insurance company is located; or 3) the plan is sold, issued, renewed, or in effect.

The Marketplace treats married same-sex couples the same as married opposite-sex couples for the purposes of SEPs based on marriage, as well as for calculating advance payments of the premium tax credit and cost-sharing reductions. This is true in all states.

Like opposite-sex married couples, same-sex married couples may be eligible for premium tax credits on Marketplace plans as long as the taxpayer and spouse file a joint federal tax return for the year they're requesting the premium tax credits. All married couples must file jointly in order to be eligible for premium tax credits.^x

When same-sex couples apply for help paying for coverage in the Marketplace, they will be asked if they're married. If they plan to file a joint federal tax return for 2014, they should select "yes".

2014: The requirement for insurance companies to treat opposite-sex and same-sex married couples equally is not yet in effect. As noted above, however, many insurance companies already offer this protection. Here are some ways for assisters to help consumers now:

- Assisters can be helpful with grouping. If an assister is in a state which does not require same-sex spouses to be on the same insurance plan, and the issuer does not currently permit it, the assister can help the consumer to group one of the spouses into a separate plan before completing enrollment.
- For consumers who have already enrolled in coverage, assisters may help consumers work with their current insurance company to make sure both spouses are covered whether as a married couple or as individuals.

In many cases, when an enrollment is not allowed, the issuer will reach out to the consumer to indicate this. Consumers in these cases will be allowed to change plans by contacting the Marketplace and requesting a special enrollment period, and may need to group separately as previously described. For consumers who have not yet completed enrollment, assisters can be helpful with grouping consumers on their application. Same-sex spouses can be on the same application, but in some cases must be grouped separately and enrolled in separate plans. If an assister is aware that an insurance company will not allow same-sex spouses to be on the same insurance plan, the assister can help the consumer to group one of the spouses separately before completing enrollment.



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- i 45 C.F.R. § 155.420(d)(2); see also: <http://www.cms.gov/ccio/resources/Regulations-and-Guidance/index.html>.
- ii 26 C.F.R. § 1.5000A-1; see also: <http://www.irs.gov/uac/Affordable-Care-Act-Tax-Provisions>.
- iii See <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/victims-domestic-violenceguidance-3-31-2014.pdf>.
- iv 45 C.F.R. § 155.420(c); see also: <http://www.cms.gov/ccio/resources/Regulations-and-Guidance/index.html>.
- v 45 C.F.R. § 155.420(a); see also: <http://www.cms.gov/ccio/resources/Regulations-and-Guidance/index.html>.
- vi 45 C.F.R. § 155.420(c); see also: <http://www.cms.gov/ccio/resources/Regulations-and-Guidance/index.html>.
- vii 45 C.F.R. § 155.420(b)(2)(ii); see also: <http://www.cms.gov/ccio/resources/Regulations-and-Guidance/index.html>.
- viii 45 C.F.R. § 155.405.
- ix <https://www.healthcare.gov/married-same-sex-couples-and-the-marketplace/>
- x See <https://www.healthcare.gov/married-same-sex-couples-and-the-marketplace/> and <http://www.irs.gov/uac/Answers-to-Frequently-Asked-Questions-for-Same-Sex-Married-Couples>.

