

# Helping H-2A Workers Understand their Insurance Options: Background and Tips

This document is designed to help in-person Marketplace assisters become familiar with the H-2A visa program, how H-2A workers are affected by the Affordable Care Act (ACA), and how to best assist H-2A workers with application and enrollment.

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This document was produced by the North Carolina Community Health Center Association. NCCHCA thanks Greene County Health Care, Piedmont Health Services, Farmworker Justice, as well as many other partners for their extensive input. If you have questions or note any needed corrections, please contact Alice Pollard at [pollarda@ncchca.org](mailto:pollarda@ncchca.org).

## Background on H-2A Guestworker Program and the Affordable Care Act

The H-2A guestworker program allows agricultural employers to hire workers from other countries on temporary work permits for agricultural jobs that last ten months or less. To bring in H-2A guestworkers, employers must first show that they have tried and are unable to find U.S. workers to meet their labor needs.<sup>1</sup>

“Because they are in the United States lawfully on non-immigrant visas, H-2A workers are eligible to both purchase an insurance policy through the federal Marketplace and to receive a tax credit to help pay for that insurance coverage.”<sup>2</sup> See [Farmworker Justice ACA Factsheet](#) for more information.

“H-2A workers are required to enroll in coverage under the ACA only if they are required to pay taxes in the United States. If they a) earn enough money to be required to file income taxes, *and* b) meet the definition of a “resident alien” under the tax code, then they are required to pay taxes *and* required to enroll in health coverage unless they meet one of the other exceptions.”<sup>3</sup> For more information on this, please see the [NC Justice Center Factsheet on H-2A Workers, Taxes, and the Affordable Care Act](#).

H-2A workers do not qualify for Medicaid because they are not considered a “qualified immigrant.” Therefore, **H-2A workers may be eligible to receive advance premium tax credits (APTC) in the Marketplace even if they earn between 0% and 400% of the Federal Poverty Level (FPL).**

While H-2A workers can be eligible, it’s important to consider the implications that enrolling or not enrolling may have on a worker. Not only can enrollment be complicated for a worker, but the process of filing taxes and reconciling APTC may be difficult. In addition, tax filing is new and complicated for many workers, growers, and farmworker advocates. As with all consumers, in-person assisters should help H-2A workers understand all of the implications of the process so that the worker can make the decision about whether or not to enroll.

## H-2A Workers in North Carolina

### **How many H-2A workers are in NC?**

North Carolina has the largest population of H-2A visa workers among all US states. There were around 14,000 H-2A workers in NC in 2014, and the number has greatly increased in recent years (based on data compiled by the NC Department of Commerce). There are many more farmworkers present in NC who are not H-2A workers, as well as their dependent spouses and children. Other farmworkers may also be eligible for Marketplace or Medicaid coverage, depending on their specific circumstances.

Nationally, the majority of H-2A workers are young men from Mexico.<sup>4</sup>

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<sup>1</sup> Farmworker Justice

<sup>2</sup> NC Justice Center

<sup>3</sup> NC Justice Center

<sup>4</sup> Farmworker Justice

**How do H-2A workers get to NC?**

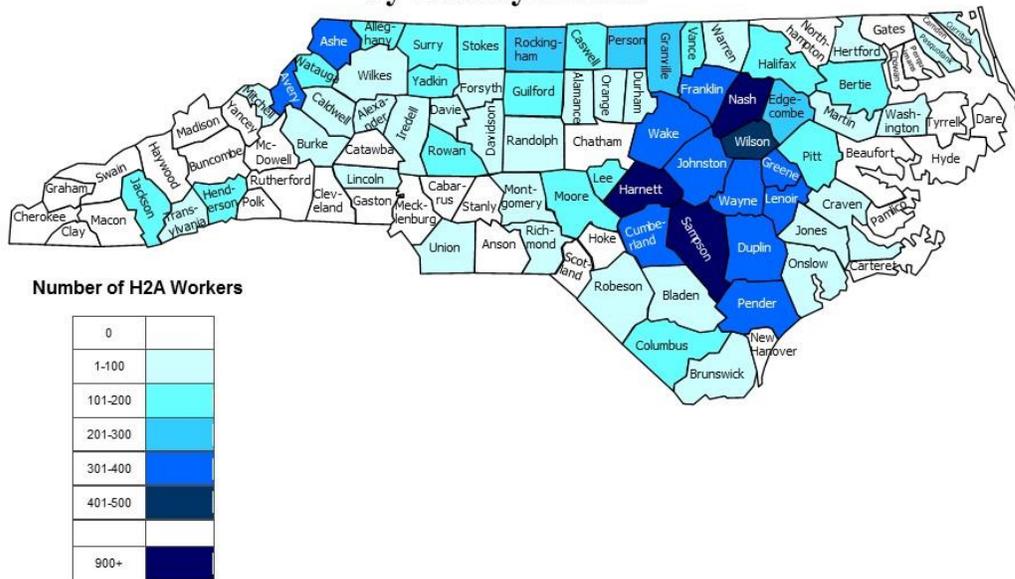
Once they receive their work visas, many workers travel on buses from their country of origin to North Carolina. The North Carolina Grower’s Association, a growers’ cooperative that has historically brought the majority of H-2A workers into NC, initially brings the workers they sponsor to Vass, NC to receive general information and orientation. From this principal location, the workers are then sent to the farms where they will be working. There are other labor contractors as well who bring in workers to NC.

**Where do H-2A workers live?**

H-2A workers typically live in remote, employer-provided housing and have limited access to transportation.

**Where are H-2A workers in NC?**

**Density of H2A Workers in North Carolina by County in 2013**



NC Office of Rural Health and Community Care

**When do H-2A workers arrive in NC?**

H-2A workers arrive in North Carolina throughout the calendar year. Most workers arrive between March and June, with others arriving before and after those dates. Workers continue with the same employer the entire season they are present, with the exception of workers who travel to western NC to work on the Christmas tree harvest in the fall after completing their work in the East. Workers who arrive outside of the Marketplace Open Enrollment period are eligible for a 60-day Special Enrollment Period that starts the day they arrive in the U.S. (and/or the day that they gain new immigration status when they are granted their visa).

## **How do H-2A workers access health care in NC? What is their experience with health care in their country of origin?**

Many H-2A workers come from rural parts of Mexico. Health services may be limited where they live, and they may be accessed through a family doctor or through government clinics. In any case, many workers will not have had previous experience with health insurance, and even those that have had experience with health insurance may not have experience with the private health insurance system. Some patients have never been to a doctor or dentist before coming to North Carolina. Others may have received Western medical care in Mexico; however, the medical practices they are used to may be different from those in our clinics in the United States. Other workers may be used to obtaining medical advice from family or traditional healers.

H-2A workers receive workers' compensation from their employer and may have experience seeking medical care for a work-related injury or illness. Under H-2A rules, all employers who hire H-2A workers must provide workers' compensation insurance for all occupation-related injuries or illness. Workers' compensation coverage is not comprehensive enough to qualify as minimum essential coverage under the ACA.

Most counties in NC with significant H-2A worker populations have a farmworker health outreach program and/or a migrant health center. Migrant health centers receive federal funding to provide services specifically to farmworkers. In NC, all migrant health centers are also part of or incorporated with larger community health centers that serve the general population. Many migrant health centers have outreach programs that visit farmworkers in their homes in the evenings to provide health education, health assessments, and case management to farmworkers. The NC Farmworker Health Program (out of the NC Office of Rural Health and Community Care) also contracts with organizations to provide outreach services based out of community health centers (those that are not migrant health centers), health departments, hospitals, and non-profit organizations.

These farmworker health programs reduce many barriers to healthcare that farmworkers encounter, and can link farmworkers to available services. These trusted resources often coordinate care, provide transportation to medical appointments, and provide interpretation during medical appointments.

### **Farmworker Health and Social Service Programs in North Carolina**

There are several organizations in NC dedicated to improving access to health care for farmworkers in NC. These organizations can provide valuable insight about outreach to farmworkers and prove valuable partners for assisters hoping to reach out to farmworkers. A map on the next page includes NC Farmworker Health Clinics. In addition, Legal Aid of NC Farmworker's Unit and FLOC, (the Farm Labor Organizing Committee of the AFL-CIO) provide services and advocacy for workers.



# Clínicas de Salud para Trabajadores del Campo en Carolina del Norte ~ NC Farmworker Health Clinics



## 1 Vecinos Inc.

Ciudad/Town: Sylva  
Condado/County: Jackson, Swain,  
Macon, Transylvania  
Amy Schmidt (828) 399-0898

## 2 Blue Ridge Health Services

Ciudad/Town: Hendersonville  
Condado/County: Henderson  
Daniel Benavides (828) 691-1747

## 3 Toe River Health District

Ciudad/Town: Spruce Pine  
Condado/County: Yancey, Madison, Mitchell,  
McDowell  
Silvia Peterson (828) 208-0215

## 4 Good Samaritan Clinic

Ciudad/Town: Morganton  
Condado/County: Burke  
Cleveland, Lincoln, Catawba  
Christian Ramazzini  
(828) 448-9057  
Office: (828) 212-4176

## 5 High Country Community Health

Ciudad/Town: Boone  
Condado/County: Watauga, Avery,  
Caldwell  
Nicole Forristal (828) 406-1856

## 6 Farmworker Health Program of Ashe & Alleghany Counties

Ciudad/Town: Sparta  
Condado/County: Ashe, Alleghany  
Debra Trulock (336) 372-1704

## 7 Surry County Health & Nutrition Center

Ciudad/Town: Dobson  
Condado/County: Surry, Stokes, Yadkin,  
Davie, Wilkes  
Kate Furgurson (336) 401-0399

## 8 Piedmont Health Services

Ciudad/Town: Prospect Hill &  
8(a) Moncure  
Condado/County: Caswell, Alamance,  
Chatham, Person, Orange, Randolph, Lee,  
Moore, Harnett  
Patricia Morales (336) 862-3311 x1810, 1809  
(Prospect Hill) or (919) 542-4991 x2281 (Moncure)

## 9 Rural Health Group

Ciudad/Town: Henderson, NC  
Condado/County: Vance, Granville, Warren,  
Franklin, Halifax, Northampton  
Ricardo Garcia (919) 339-2019

## 13 Robeson Health Care Corp.

Ciudad/Town: Pembroke & 13(a) Whiteville  
Condado/County: Robeson, Hoke, Scotland,  
Bladen, Richmond, Columbus, Brunswick  
Jose Miranda (910) 521-2816 (Pembroke)  
Guillermo Noguera (910) 207-6440 (Whiteville)

## 14 Pender County Health Dept.

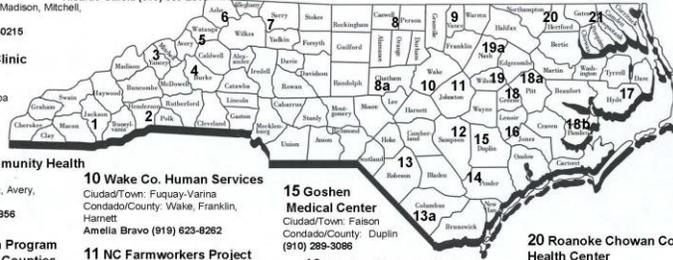
Ciudad/Town: Burgaw  
Condado/County: Pender, Sampson, Bladen, Duplin  
Natalie Hyatt (336) 287-6337

## 18 Greene County Health Care

Ciudad/Town: Snow Hill, 18(a) Greenville &  
18(b) Alliance  
Condado/County: Greene, Pitt, Wayne, Lenoir,  
Edgecombe, Pamlico, Martin, Craven, Beaufort,  
Carteret, Duplin, Wilson, Nash  
Steve Davis (252) 747-4078

## 19 Carolina Family Health Centers, Inc.

Ciudad/Town: Wilson & 19(a) Elm City  
Condado/County: Nash, Wilson, Edgecombe  
Claudia Balan (252) 443-7744 x147



## 10 Wake Co. Human Services

Ciudad/Town: Fuquay-Varina  
Condado/County: Wake, Franklin,  
Harnett  
Amelia Bravo (919) 623-8262

## 11 NC Farmworkers Project

Ciudad/Town: Benson  
Condado/County: Johnston, Harnett, Sampson,  
Duplin  
Janeth Tapia (919) 915-2220  
Maria Mejia (919) 915-3991

## 12 Commwell Health Center Inc.

Ciudad/Town: Newton Grove  
Condado/County: Sampson, Harnett, Johnston,  
Bladen, Pender  
Robert Daniel (910) 990-4925

## 15 Goshen Medical Center

Ciudad/Town: Faison  
Condado/County: Duplin  
(910) 289-3086

## 16 Kinston Community Health Center

Ciudad/Town: Kinston  
Condado/County: Lenoir, Jones, Duplin,  
Wayne, Greene, Pitt, Craven  
Brian Thomas (252) 522-4350 x106

## 17 Engelhard Medical Center

Ciudad/Town: Engelhard  
Condado/County: Hyde  
Erica Monzon (252) 928-1511

## 20 Roanoke Chowan Community Health Center

Ciudad/Town: Ahoskie  
Condado/County: Hertford, Gates,  
Northampton, Bertie  
Hector Justiniani (252) 287-8781

## 21 Gateway Community Health Centers, Inc.

Ciudad/Town: Elizabeth City  
Condado/County: Pasquotank, Camden,  
Perquimans, Chowan, Currituck, Gates  
Jaymanel Hurtado (252) 384-2651

North Carolina Farmworker Health Program (919) 527-6440 & North Carolina Community Health Center Association (297-0066) updated 2/3/2015

## Outreach and Connecting with Farmworkers

### Connecting with H-2A Workers to Provide Enrollment Assistance

H-2A workers may face many barriers in navigating the initial application and enrollment process. H-2A workers typically live in remote, employer-provided housing. They typically work long hours, making it difficult to meet with enrollment assisters during normal business hours. In addition, many workers lack access to transportation and have great difficulty traveling to and from enrollment offices. Also, most H-2A workers in NC exclusively speak Spanish. Yet some workers' primary language may be an indigenous language, with Spanish as their secondary language. To mitigate these barriers to enrollment, assisters need to find ways to meet workers where they are—figuratively and literally!

In 2014, NC farmworker outreach programs and enrollment assisters had success in helping H-2A workers enroll. Some of the best practices and potential strategies for reaching farmworkers include:

- **Connect with the Experts.** Existing Farmworker Outreach groups can provide support and introduce enrollment assisters to farmworkers in their area. This is a key first step, as existing groups have built trust with and knowledge of the farmworker community. In addition, these groups may be able to provide services to support enrollment, such as initial education, transportation, interpretation, and follow up.
- **Travel to Farmworkers to Provide On-Site Enrollment Assistance.** In 2014, many enrollment assisters traveled to farmworker camps and other housing to provide services at these locations. This eliminated the transportation barriers that farmworkers face in coming to enrollment services.
- **Practice Flexibility with Enrollment Assister Schedules.** Enrollment assisters will need to be flexible and able to meet with workers upon short notice, as H-2A workers may not have much notice of when they have time off of work. For example, one team of enrollment assisters has “rainy day clinics” for enrollment when the weather keeps workers out of the fields. In addition,

another group discussed trying to meet with workers when they first arrive, as they may have down time in those first few days. Sundays are also typically good days to host enrollment appointments.

- **Provide Assistance for Getting to Appointments.** Some Farmworker Outreach programs had success partnering with growers (H-2A employers) to arrange for time off from work and transportation to an enrollment appointment or event for farmworker employees. Outreach staff may also be able to provide transportation for farmworkers.
- **Enrollment Events.** Some groups have discussed hosting enrollment events and bringing many H-2A workers to a central location with lots of assisters on a single day.

In-person assisters report that having a few encounters with workers before the actual application and enrollment appointment can be helpful. The more education done upfront, the more workers understand the process and can develop trust with enrollment assisters. In addition, education for growers is very important, and initial visits can include meetings with growers to explain assisters' goals and the application process.

### Talking To H-2A Workers about Health Insurance and the ACA

There are several resources that can assist enrollment workers in talking to farmworkers about health insurance and the ACA.

Fliers from Farmworker Justice (<http://www.farmworkerjustice.org/content/access-healthcare-0>)

- [A Guide for Lawfully Present Workers and their Families \(English\)](#)
  - [Una guía para los trabajadores agrícolas y sus familias que están presentes legalmente en los Estados Unidos \(Spanish\)](#)
- [A Guide to the Health Insurance Requirement \(English\)](#)
  - [Una guía sobre el seguro médico obligatorio \(Spanish\)](#)
- [The Affordable Care Act and You: A Guide for H-2A Workers \(English\)](#)
  - [La Ley de Cuidado de Salud Asequible y Usted: Una Guía para los Trabajadores H-2A \(Spanish\)](#)

Fliers and Presentation from Legal Aid of North Carolina (Found at <http://www.farmworkerlanc.org/> or <http://www.farmworkerlanc.org/es/>)

- “¡Cuida tu Salud y tu Bolsillo!” Manual for Trainers (In Spanish):  
[http://www.farmworkerlanc.org/es/wp-content/uploads/2009/10/5.5.15ACA\\_for\\_H2A\\_Workers.pdf](http://www.farmworkerlanc.org/es/wp-content/uploads/2009/10/5.5.15ACA_for_H2A_Workers.pdf)  
This manual helps service providers learn how to explain the following issues to H-2A workers:
  - What is the Affordable Care Act
  - Why is it important to have health insurance?
  - How does health insurance work in the US in general?
  - How does an H2A worker know if s/he has to enroll?
  - How to enroll and get a tax credit

- Derechos laborales para los trabajadores contratados con el programa H-2A en Carolina del Norte
  - [http://www.farmworkerlanc.org/es/wp-content/uploads/2009/10/H2A\\_Booklet\\_2015\\_Spanish1.pdf](http://www.farmworkerlanc.org/es/wp-content/uploads/2009/10/H2A_Booklet_2015_Spanish1.pdf)

### **Marketplace Application & Enrollment Tips for H-2A Workers**

*This section was last updated in March 2015 and reflects Marketplace application practices at that time. It walks through some, but not all, sections of the application, and reviews things to consider and key strategies to use when helping H-2A workers complete an enrollment application. In-person assisters should be sure to keep up to date with the most recent information regarding Marketplace application and enrollment.*

As with non-farmworker populations, the preferred Marketplace application methods for H-2A workers are an online or phone application. These application methods allow a worker to complete the application and enrollment process in one sitting. Because most H-2A workers cannot get through the online identity verification process, most H-2A workers will need to call the Marketplace Call Center at some point during the application process. However, assisters report that doing at least some of the application online can result in more accurate eligibility results. This document walks through the application process, focusing on key issues for these workers. In-person assisters have reported that doing most of the application online is more reliable for making sure H-2A workers can get a correct eligibility result.

If an H-2A worker arrives outside of the Marketplace Open Enrollment period, they will have a 60 day Special Enrollment Period from the time they arrive in the country or the date their visa is issued. They need to complete enrollment—not merely apply—within this 60 day period, so it’s important to use application methods that allow the worker to complete enrollment in the shortest amount of time possible.

### **Application Process**

**Creating Account and Listing Contact Information:** Use all capital letters for first and last name of applicants, and omit special characters (such as hyphens) or extra spaces. Do this in the identity verification page. It will sometimes help with identity verification.

### **Identity Verification Issues and Workarounds**

When applying for health insurance using the HealthCare.gov online application, identity verification is required in order to submit an application. The HealthCare.gov online application verifies the identity of applicants using financial data from Experian. This means that applicants with no credit history in the U.S. (e.g. applicants who’ve never had credit cards, taken out loans) cannot have their identity verified using the website.

To get around the identity verification issue when applying online, try some of the following three workaround methods:

### 1. Combination of Online and Phone Application

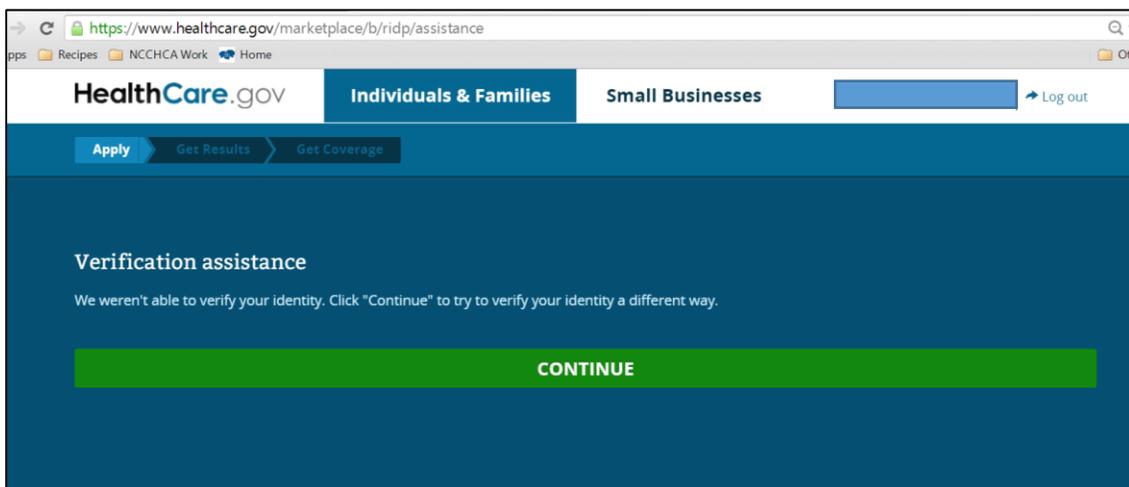
Begin with an online application. When you receive the message that identity cannot be verified, you will first be directed to call Experian. Do not call Experian—they will not be able to assist and calling them will only add time to the process.

Instead, continue the online application without verifying identity. There is link that says “continue application and verify identity later.” The link may also say, “Click here to return to profile.” Navigate to the point where you can complete the online application.

Complete the application and stop when you get to the review page (towards the end of the application). **Do not sign or submit the application yet.** Write down the application ID number generated with the application.

At that point, call the Marketplace and ask them to finish processing the application. Tell them that you have a consumer who has completed the online application but cannot submit due to identity verification. Tell them you need them to “push” the application through. The Marketplace representative should be able to submit the application, though they may repeat some application questions. Once the representative submits the application, the consumer will get an eligibility result that will appear on your computer screen. You can then view the plans and prices with the consumer and complete the enrollment.

Going through with this method is helpful because it allows you to see the results on your computer screen instead of having to review plans over the phone. *With this method, you will also want to upload identity documents. You can do this through the HealthCare.gov online application.*





Do not call  
Experian.

Click the bottom link, “click here to return to My Profile.” Once you are back in the account profile, navigate back to the application and continue.

## 2. Phone Application

Identity verification is **not required** for applications done through the Call Center. Consumers should be able to call the Marketplace Call Center (1-800-318-2596) and complete an entire application and enrollment over the phone. To access Spanish language services, call the Marketplace at 1-800-318-2596 and say "agent" or press "0" (zero). Once an agent is on the line, state the name of the language needing an interpreter.

When phoning the Call Center to complete an application over the phone, it's best to provide little detail to the representative. Do not attempt to explain the identity verification issue. Do not attempt to explain why the consumer should be eligible for a Special Enrollment Period. Simply ask to complete the application over the phone. If the Call Center Representative informs you that it is outside of Open Enrollment, acknowledge this fact and simply state that you'd like to complete the application for a denial if nothing else. The questions in the application will trigger the SEP.

If you run into an uncooperative Call Center representative, you can ask to speak to a Call Center Supervisor. There is no reason that Call Center representatives cannot complete an application over the phone.

If an application is done over the phone, the applicant will not be able to view the health plans through the usual online enrollment tool. Representatives read the plan information to the applicant over the phone. If a consumer is selecting a plan over the phone, you can use the Browse Coverage Options Tool (<https://www.healthcare.gov/see-plans/> or <https://www.cuidadodesalud.gov/see-plans/>) to give the consumer a visual guide to their options and search provider directories or formularies before enrolling through the Call Center. In addition, it can be helpful to review the plans before calling the Marketplace so that the consumer knows which plan they would like before calling.

If an assister is on the line with the applicant, the Call Center will ask the applicant to authorize the assister to be on the call (as they do with all applications done through the phone this way).

Consumers can also designate an assister to communicate with the Call Center on their behalf when the consumer is not present. This designation lasts for one year and can be done by calling the Marketplace

Call Center. This designation does not allow the assister to make decisions on behalf of the consumer. Please note that many assisters have reported that the Call Center has not retained a record of this consent being granted in the past, even though they should have.

### **3. Create Account Online and Upload or Mail Documents to Marketplace for Manual Identity Verification.**

Through this method, consumers would upload or mail their identity verification documents to the Marketplace. After a few days or weeks (depending on method of submission), consumers can return and attempt to submit an application online. With this method, consumers cannot complete enrollment in one appointment and must return to see an assister or apply on their own once manual identity verification is complete. **This method is not recommended due to the long delays involved.**

#### **Get Started Section: Address of Applicant**

When completing the application, the applicant must list a home address where they reside. This will determine what plans are available to them. Some H-2A workers will use an address that the Grower also uses. Some will have a camp address.

Applicants can also enter in a mailing address where they want to receive communication from the Marketplace. This can be a P.O. Box. In 2014, due to limitations of the system, communications from the insurance company (such as insurance cards, premium bills, and other notices) were sometimes sent only to the home address listed by the applicant, not the mailing address listed.

**Update (May 2015): According to CMS, if a consumer would like information from the Marketplace sent to a P.O. Box, they should list their P.O. Box as both their home/physical address and mailing address.**

#### **Family and Household Section**

##### **Social Security Number**

H-2A workers do not need a Social Security Number (SSN) to fill out the initial application for health insurance through the Marketplace, but if they qualify for a SSN, they will need one by the time they file their taxes in the following year (and they will need to file taxes if they receive APTC). If you meet with an H-2A worker who does not yet have a SSN, they can go through the health care application but they should apply for a SSN as soon as possible so that they can file taxes and reconcile APTC.

SSN is an optional field on the Marketplace application, even though it will ask for the number multiple times. If an H-2A worker has a SSN, they should enter it on the application. ITINs should not be listed on the application in place of SSN. SSN is also used to search income histories and verify income. If someone has a SSN, entering it may speed up the income verification process.

##### **Immigration Status Verification**

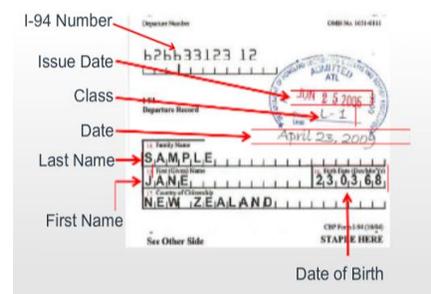
Consumers seeking health coverage must attest to being a U.S. citizen or having an eligible immigration status. The application will ask applicants with eligible immigration status to list a document that proves their status. Consumers should fill in fields as completely as possible. The information is cross-checked with the Department of Homeland Security SAVE system.

When helping complete an application assisters should **use all capital letters for first and last name of applicants and omit special characters or extra spaces.**

When you check the box on the online application to indicate the applicant has an eligible immigration status, a dropdown box will appear asking you to indicate document type. There are two methods of inputting the document information that can work for H-2A workers: (1) selecting the Arrival/Departure Record, or (2) selecting “other documents” and entering a description of the document type. For both methods, workers will need their Arrival/Departure Record (I-94/I-94A), which is usually attached to their passport.

**Update (May 2015): There are two methods listed here for verifying H-2A worker’s visa status through the Marketplace application. Some assisters in NC have reported that using Method Two (2) is more likely to generate correct eligibility results for H-2A workers with incomes below 100% FPL, but this is not guaranteed to work each time.**

**METHOD ONE:** Under document type, select Arrival/Departure Record (I-94/I-94A). Most H-2A workers should have this document, which is usually attached to their passport.



After selecting document type, a new question will populate asking you to input the number. Input the number listed on the record.

Application ID: [redacted]

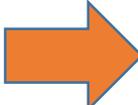
**Document type** (Select one)  
[Learn more about document types](#)

Arrival/Departure Record (I-94, I-94A)

The I-94 Arrival/Departure Record is issued to individuals when they enter the U.S. The bottom portion of the I-94 should be stapled to the person's passport. Enter the I-94 number usually found on the top left side of the form.

**I-94 number** optional

[text input field]  
 XXXXXXXXXXXX



**METHOD TWO:** Under document type, select “Other documents or status types” from the dropdown menu. A new list will populate. From the new list, click “Other.”

North Carolina Apply Get Results Get Coverage

Application ID: [redacted]

**Document type** (Select one)  
[Learn more about document types](#)

Other documents or status types

Does Alice Pollard have any of these documents or status types? (Select all that apply.)

- Document indicating member of a federally recognized Indian tribe or American Indian born in Canada
- Certification from U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR)
- Office of Refugee Resettlement (ORR) eligibility letter (if under 18)
- Cuban/Haitian Entrant
- Document indicating withholding of removal
- Resident of American Samoa
- Administrative order staying removal issued by the Department of Homeland Security (DHS)
- Other
- None of these

**Update:** Some assisters in NC have reported that using Method Two (2) is more likely to generate correct eligibility results for H-2A workers with incomes below 100% FPL.

After selecting “Other” from the list, a question will populate asking you to describe the document and to provide the number. Complete these sections as completely as possible. Under document description, you can write “H-2A visa.” You will enter the I-94 number from the Arrival/Departure record.

**GET STARTED**

**FAMILY & HOUSEHOLD**

2 More about this household

3 Summary

**Document description** (35 characters maximum)

[text input field]

Enter one of these numbers

Alien number

I-94 number

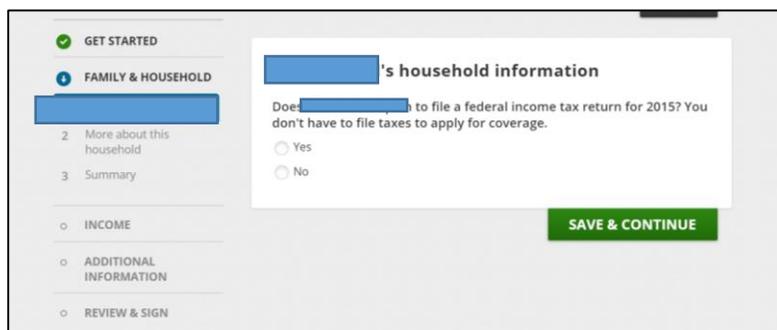
Enter the I-94 number

[text input field]  
 XXXXXXXXXXXX

**Tax Questions**

As with all consumers, H-2A workers must indicate that *they will file taxes* for the year they are seeking APTC. This is a very important issue to discuss with the consumer when they enroll, as filing taxes may

be new for an H-2A worker. Assisters should also take care to let a worker know that if they receive APTCs, they will need to receive the 1095-A form the following year before filing their taxes. This may be difficult, as the worker may return to a different camp the following year. If a worker does not receive the 1095-A form via mail, they may be able to access the information by calling the Marketplace Call Center after January of the following year to write down the information. For example, if a worker enrolls in a plan in 2015, they will need to file their 2015 taxes in 2016. After January of 2016, they can phone the Marketplace Call Center to access the information on their 1095-A form, which they will use to fill out IRS form 8962 when they reconcile their APTCs.



The screenshot shows a web application interface. On the left is a navigation menu with the following items: 'GET STARTED' (with a green checkmark), 'FAMILY & HOUSEHOLD' (with a blue circle and number 1), 'More about this household' (with a blue circle and number 2), 'Summary' (with a blue circle and number 3), 'INCOME', 'ADDITIONAL INFORMATION', and 'REVIEW & SIGN'. The main content area is titled 'Do [redacted]'s household information'. Below the title is a question: 'Does [redacted] to file a federal income tax return for 2015? You don't have to file taxes to apply for coverage.' There are two radio button options: 'Yes' and 'No'. At the bottom right of the main content area is a green button labeled 'SAVE & CONTINUE'.

### Marriage Question

H-2A workers who are married should think carefully about their tax filing status. If possible, each H-2A worker should consult with a tax accountant, VITA tax clinic, or a reliable community-based organization for assistance in determining the correct filing status for himself and his family.

**If a worker is single or not legally married**, they can mark single on the Marketplace application. The worker would then file taxes using either the “Single” tax filing status or the “Head of Household” designation depending on his situation.

**If a worker is legally married**, he will most likely have to file with the “married filing jointly” status if he wishes to claim the tax credit for health insurance coverage under the ACA.

H-2A workers may file jointly with their spouses, but need to take extra steps and consider other effects this filing status may have on their household. Workers who file “married filing separately” will not qualify for tax credits, but they are likely to qualify for an exemption from the requirement to have health insurance. For more information, see the [NC Justice Center factsheet on H-2A Workers, Taxes, and the ACA](#).

### Dependents

H-2A workers from Mexico may be able to claim a “qualifying child,” or a “qualifying relative” as a dependent on their tax return. Dependents must meet IRS definitions. Tax filers can only claim someone as a dependent if they are a U.S. citizen, resident or national, or a resident of Canada, Mexico, and in certain cases India and South Korea.

Applicants for health coverage and a tax credit in the Marketplace should list their family members on their Marketplace application in the same way they plan to list them on their tax return later in the

following year. If an H-2A worker will list a qualifying child or relative on their taxes as a dependent, they should be listed on the Marketplace application as a non-applicant.

H-2A workers will need to obtain an ITIN for dependents or spouse that they will list on tax return. An ITIN is not needed for the Marketplace application and should not be listed in place of SSN.

### **Address for Spouse and Dependents Living Abroad**

If an H-2A worker includes his spouse and/or dependents on his tax return, he will need to include them (as members of his household but non-applicants) on the Marketplace application, even though they are not eligible for health coverage.

The HealthCare.gov application only accepts U.S. addresses. If a consumer has a spouse or a tax dependent residing at a foreign address, the consumer's domestic address should be entered for that dependent. This guidance comes directly from CMS. Additionally, the address must be entered identically for each person on the application who lives at the same address. For example, do not enter "Street" for one person's address and "St." for another.

### **Medicaid Denial Question**

One of the questions on the Marketplace application asks if any consumers applying for coverage have has been found ineligible for Medicaid due to their immigration status since October 1, 2013. While all H-2A workers are ineligible for Medicaid because of their immigration status, CMS has indicated that only consumers with an official denial should indicate they have been denied Medicaid due to their immigration status. Only H-2A workers who have received an official Medicaid denial since October 1, 2013 should answer affirmatively to this question.

Were any of these people found not eligible for Medicaid or the Children's Health Insurance Program (CHIP) in the past 90 days? Or, were any of them found not eligible for Medicaid or CHIP due to their immigration status since October 1, 2013?

Check the box only if a person was found not eligible for this coverage by their state, not by the Marketplace.

[Learn more about how to answer this question](#)

None of these people

None of these people

### **Income**

In estimating income, workers should be sure to account for all employers. Some workers will have received multiple W-2s in the past year because they worked for different farms. Be sure to enter all of the income information. In addition, be sure to account for any changes for year to year and estimate as high as income may go to prevent any need for repayment. If an H-2A worker is asked to submit proof of income, make notes of any inconsistencies or discrepancies on income documents. For example, if sending in paystubs, note how many weeks the consumer will be in the US for 2015 and any changes in income from week to week.

## Additional Information: Special Enrollment Period Questions

H-2A workers who arrive outside of Open Enrollment are likely to qualify for a Special Enrollment Period (SEP) which will allow them to enroll after Open Enrollment ends. The qualifying life events that are likely to trigger this SEP eligibility for an H-2A worker are:

- Gaining new lawfully present status (H-2A visa)

The H-2A worker would have 60 days to enroll after entering the U.S.

- Moving

- *Move to U.S.*

The H-2A worker's move to the U.S. would also trigger an SEP. They would have 60 days to enroll after moving to the U.S. However, the application questions that screen for SEP eligibility ask for the applicant to input their previous zip code. The system does not allow entry of foreign addresses. If the worker is attempting to claim an SEP based on date of move to the US, they can enter five zeros (00000) as the zip to trigger the applicable SEP.

- *Move within U.S.*

If an H-2A worker moves within the US, he may qualify for an SEP if he gains access to new qualified health plans (QHPs) that he did not have access to where he previously lived. If he had not previously enrolled, this move would allow the worker a new opportunity to enroll for the first time. If the consumer was currently enrolled, he could change plans.

There are also other SEPs that H-2A workers might qualify for. A list can be found at this link:

<https://www.healthcare.gov/how-can-i-get-coverage-outside-of-open-enrollment/>

Did any of these people recently gain eligible immigration status? *optional*

- [Redacted Name]
- None of these people

SAVE & CONTINUE

Select the worker's name from the list if he came to the U.S. in the last 60 days. A question will appear asking when the worker got eligible immigration status.

## Eligibility Results

H-2A workers are generally eligible for premium tax credits if their income falls within 0-400% of the federal poverty level (FPL). They are eligible for cost sharing reductions if their income falls within 0-250% of the federal poverty level. You can find 2014 and 2015 federal poverty levels at this link: <http://familiesusa.org/product/federal-poverty-guidelines>.

Most H-2A workers will meet these income requirements. However, H-2A workers also have to meet other eligibility standards for premium tax credits:

- They must file taxes in 2015 and indicate they will do so on their application.
- If they are married, they must file jointly with their spouse (very few legally married H-2A workers will qualify to file as Head of Household). They **cannot** file taxes married separately and receive PTC.
- They cannot have access to employer coverage that meets certain affordability and value standards.

In addition, to qualify for cost sharing reductions, the worker must choose a silver level plan.

**Assisters should check eligibility letters for accuracy, as H-2A workers have received incorrect eligibility results in the past, often due to the system failing to recognize PTC eligibility below 100% FPL.**

If the system cannot verify an applicant’s immigration status, or if the consumer does not include their immigration document numbers, the system will assume that the individual meets the immigration requirements for Medicaid. Therefore, the system **will not** screen for or recognize eligibility for premium tax credits below 100% FPL.

If an H-2A worker meets the eligibility criteria, but the eligibility determination does not reflect eligibility for PTCs and CSRs, assisters can help a consumer by taking one or more of the following steps:

- 1) Call the Marketplace Call Center to see whether the issue can be solved informally.
- 2) Re-apply and be sure to provide all necessary documentation. Go back to the application and click on “Report life change.” Review all information in the application to make sure that nothing was incorrectly checked to trigger an incorrect eligibility result. Common consumer application responses to questions that might have caused an eligibility determination with no APTC include:
  - a. Indicating that the consumer is married but filing taxes separately from spouse
  - b. Indicating that the consumer is not planning to file taxes
  - c. Indicating that the consumer has an offer of affordable employer based coverage or answered "I don't know" when asked about offer of employer based coverage
  - d. Reporting income just above the poverty line and indicating that the consumer has a disability

When completing the application again, if none of the above issues apply, try to change the way you indicated immigration status. For example, if you first used the “Other document” method, try switching to the dropdown of Arrival/Departure Record. If you first selected “Arrival/Departure Record” from the dropdown menu, try using the “other document” method.

- 3) If the issue cannot be resolved, help the consumer file an appeal. Appeal forms used in NC can be found here: <https://www.healthcare.gov/downloads/marketplace-appeal-request-form-a.pdf>. It’s strongly advised that a consumer seek assistance from legal services with an appeal. To facilitate a referral, assisters can fill out [this appeal referral form](#) with some brief information about the situation and have the consumer sign the form to authorize sharing of their information. The assisters can fax the form to the appropriate contact listed at the bottom of the sheet. The form does not guarantee representation but it will help a legal services agency make the connection to the consumer.

If the assister does not fill out the appeal referral form, they can help consumers access legal services by calling the following phone numbers:

- Pisgah Legal Services: 828-253-0406 (Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties)
- Legal Services of Southern Piedmont: 704-376-1600 (Mecklenburg County)
- Legal Aid of NC: 866-219-5262 (All 100 Counties)

4) Help the worker apply for Medicaid and receive a denial. Once they receive the Medicaid denial, they can update the Marketplace application and check the box indicating they've been denied Medicaid due to immigration status. The new Medicaid denial is often a faster way to get correct results than waiting on an appeal. However, requesting an appeal is still important because it protects the initial date of application for retroactive coverage if needed.

If the incorrect eligibility determination cannot be resolved during your first meeting with an H-2A worker, it's critical to move forward with filing an appeal. This will help protect the application date.

### Using the Paper Application

Individuals can apply for Marketplace coverage with a paper application. This application is not recommended because of the time involved. After completing a paper application, consumers will receive notification from the Marketplace with either a request for additional information or their eligibility determination notice.

Please note that after receiving this information, the individual will not be able to complete enrollment via mail/paper. They will need to call the Marketplace Call Center to select a plan and complete enrollment.



Paper applications (in English or Spanish) can be found at this site:

<https://marketplace.cms.gov/applications-and-forms/individuals-and-families-forms.html>

Complete the application as completely as possible. It's recommended to also send in copies of identity, immigration, and income documentation with the paper application if possible.

It's very important to follow up with an applicant who used a paper application some 2-3 weeks after submission. Historically, some consumers have received very delayed responses to their paper applications, and other consumers may be confused about steps they need to take following the paper application. In addition, remember that the deadlines for enrolling in coverage (either during Open Enrollment or Special Enrollment Periods) are deadlines for *enrollment*—not for just submitting the application.

### Authorized Representative with Paper Application

Consumers can also choose to make assisters an authorized representative on their paper application. This will mean that the assister will receive copies of communication from the Marketplace. That authorization should be completed on Appendix C of the paper application. Please note, however, that the Marketplace Call Center **will not** have a record of the authorization, so the consumer will have to be present for subsequent calls with the Marketplace at least once so that they can also designate the assister to communicate with the Call Center on their behalf.

### Claiming SEP with Paper Application

If an H-2A worker is applying outside of the Marketplace Open Enrollment period, they need to complete Appendix D on the paper application. The H-2A worker would indicate that “Someone gained eligible immigration status in the last 60 days” and/or “Someone moved in the last 60 days.” This will allow them to claim a Special Enrollment Period.

### Additional Documentation Requested

#### Proof of Immigration Status or Income

Many H-2A workers are asked to send in proof of immigration status or income after enrolling. For a list of documents that can be submitted, see this link: <https://www.healthcare.gov/help/how-do-i-resolve-an-inconsistency/>.

Many assisters have found it helpful to bring pre-stamped envelopes to the enrollment appointment in case additional documentation is requested. This step is very important, as consumers who do not respond to requests for income documentation may see their APTC end.

In addition, consumers should be encouraged to call the Marketplace 30 days after submitting documentation to see if the issue has been resolved. If it has not been resolved, it's recommended that consumers re-submit documentation.

Finally, many assisters have found it useful to include clarifying comments explaining any income information. For example, writing information about how long the worker will be in the US, why their income from one year may be different from the other or why it may fluctuate.

## APPENDIX C

Form Approved  
OMB No. 0938-1191

### Assistance with completing this application

#### You can choose an authorized representative.

You can give a trusted person permission to talk about this application with us, see your information, and act for you on matters related to this application, including getting information about your application and signing your application on your behalf. This person is called an “authorized representative.” If you ever need to change your authorized representative, contact the Marketplace. If you're a legally appointed representative for someone on this application, submit proof with the application.

1. Name of authorized representative (First name, Middle name, Last name)		
2. Address		3. Apartment or suite number
4. City	5. State	6. ZIP code
7. Phone number ( ) - -		
8. Organization name		
9. ID number (if applicable)		
By signing, you allow this person to sign your application, get official information about this application, and act for you on all future matters related to this application.		
10. Your signature		11. Date (mm/dd/yyyy)

## Appendix D

Form Approved  
OMB No. 0938-1191

### Questions about life changes

(You must complete the rest of this application along with this page. Don't submit this page by itself.)

If anyone on this application experienced certain life changes in the past 60 days, fill out the following questions. Certain life changes allow your coverage through the Marketplace to start right away. We also recommend you answer these questions if you're applying after the annual Open Enrollment Period ends on February 15, 2015 and before the next annual Open Enrollment Period starts later in the year. These questions are optional. If your life circumstances haven't changed, you can leave the answers blank. Members of federally recognized tribes and Alaska Native shareholders can enroll in coverage through the Marketplace any time of the year.

#### Tell us about changes in your household.

1. Someone lost health coverage in the last 60 days, or expects to lose coverage in the next 60 days.	
Names	Date coverage ended or will end (mm/dd/yyyy)
<input type="checkbox"/> Check here if coverage ended because not paying premiums.	
2. Someone gained eligible immigration status in the last 60 days.	
Names	Date (mm/dd/yyyy)
3. Someone moved in the last 60 days.	
Names	Date of move (mm/dd/yyyy)
4. Someone was released from incarceration, detention, or jail in the last 60 days.	
Names	Date (mm/dd/yyyy)

## After Enrollment

There are many issues for H-2A workers to think about after the enrollment, including making premium payments, reporting life changes, terminating coverage when leaving the country, and filing taxes the following year to reconcile APTC. When meeting with a worker, assisters should be sure to talk through this issues to make sure the H-2A worker feels comfortable and understands their next steps. It is critical to pay attention to these post-enrollment issues.

### **Making Payments**

Consumers must pay their health insurance premium each month. The first premium payment is needed in order for coverage to begin and must be paid on time. Federal rules require the insurer to accept paper checks, cashier's checks, money orders, and all general-purpose pre-paid debit cards, as well as electronic funds transfers (EFTs). Assisters should talk to workers about how they can get a money order and make payment and whether they need additional assistance completing that step.

### **Filing Taxes**

Everyone who receives advanced payments of the premium tax credit (APTC) must file taxes for the year they receive APTC. Consumers will receive a pre-populated statement (1095-A form) from the Marketplace in January or February of the following year which they will need when their taxes are filed. They will use this form to reconcile payments of APTC. When consumers receive their 1095-A form, they should be sure to check it for errors. This is especially important if they terminated coverage before December. While this form is mailed out by the Marketplace, it can also be accessed through a HealthCare.gov account, and the information can be accessed through the Marketplace Call Center.

If a worker does not receive the 1095-A form via mail, they may be able to access the information by calling the Marketplace Call Center after January of the following year. The H-2A worker can request a new form be sent to a new address or the Call Center Representative may read off the information on the form to the consumer. The consumer can write it in a blank 1095-A form: <http://www.irs.gov/pub/irs-pdf/f1095a.pdf>. If the Call Center reads the information over the form, the consumer should still attempt to get a paper copy of the form so that they can maintain it for their records. For example, if a worker enrolls in a plan in 2015, they will need to file their 2015 taxes in 2016. The Marketplace will mail 1095-A forms for 2015 in January 2016. After January of 2016, if consumers have not received a form in the mail, they can phone the Marketplace Call Center to access the information on their 1095-A form.

In addition, H-2A workers may need to take steps to get a SSN for themselves and an ITIN for their spouse or any dependents that they will list on their tax return. For more information on what workers need and how they can apply, check out resources on the Legal Aid Farmworker Unit website.

### **Reporting a Life Change if H-2A Worker Moves within State**

If an H-2A worker moves to another county in NC, they should report that change to the Marketplace. They can do this through the Call Center. If they had not previously enrolled, their move will trigger another 60 day Special Enrollment Period. If they already enrolled, they may qualify for a SEP to change plans, if they desire. This may be desired if the worker moves to a new area of the state where there are a little or no providers in-network with their previous plan. For example, some plans offered in North Carolina (especially Blue Cross Blue Shield of NC Blue Value and Coventry High Performance Networks) have smaller networks, so consumers may want to explore their provider options in the area to see if it makes sense to change plans. If a worker does change plans during the year, the deductible on the plan

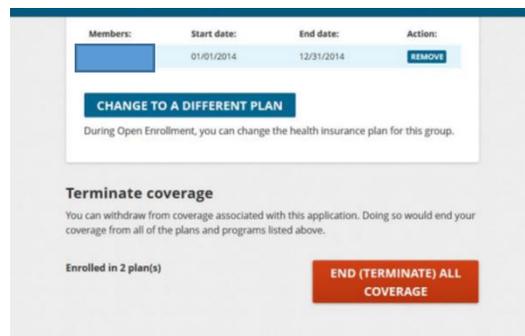
will reset, so any costs applied to the deductible in their previous plan will not carry over to their new plan—this may be an important factor to consider if enrollees have already undergone significant out-of-pocket expenses.

### Terminating Coverage

Consumers may voluntarily terminate their enrollment upon request for any reason. **H-2A workers should terminate coverage before they return to their home country.** This should be done through the Marketplace. Coverage can be terminated either online or via phone. **If possible, assisters should make a note of the time period an H-2A worker is scheduled to leave the country and follow up with them close to that date to assist in terminating coverage.**

To terminate coverage online, consumers can:

- Log into “MyAccount” on Healthcare.gov and navigate to the “My Plans & Programs” tab;
- Click the “End (Terminate) All Coverage” button;
- Select an effective date of termination that is 14 days from the present date or greater;
- Click on the red button labeled “Terminate Coverage.”
- If successful, a Red Terminated Status should then appear above the plan that was terminated.



### Potential Exemptions

H-2A workers who are not enrolled in coverage for all or part of the months they are in the United States should check to see if they are subject to the individual mandate. For more information, see [NC Justice Center’s Fact Sheet on H-2A Workers, Taxes, and the Marketplace](#).

If an H-2A worker is subject to the individual mandate and is not enrolled in coverage for all or part of the months they are in the United States, they may still qualify for an exemption.

#### Exemption for Time Not Present in United States

H-2A workers do not have to pay the penalty for time they are not in the United States. However, when they file their taxes, they will need to indicate they were exempt for their time out of the United States by filing out an additional form, IRS Form 8965.

They will qualify for the exemption based on not being lawfully present in the US. On the 2014 Form 8965, this exemption is claimed by writing Code C in Part III of IRS Form 8965 for the months the worker was abroad.

## Exemption if H-2A Worker Does Enroll but Has a Gap in Coverage

H-2A workers who enroll in coverage while they are in the US may have a period of time in which they're lawfully present in the country before their coverage begins. If they have a gap in coverage of only 1 or 2 months, they will be exempt for this gap under the "short coverage gap" exemption.

For example, Juan arrives in the U.S. on April 1 and enrolls in coverage on May 1. His coverage

begins on June 1. He leaves the U.S. on November 30 and cancels his coverage at that time. He would be exempt for the months of April and May under the short coverage gap exemption.

This is claimed by filing out IRS Form 8965. On the 2014 Form 8965, this exemption is claimed by writing Code B in Part III of IRS Form 8965 for the months in the coverage gap.

Keep in mind that this exemption only applies to the first gap in coverage each year. This may be complicated for workers whose time in the United States spans calendar years.

Types of Coverage Exemptions			
This chart shows all of the coverage exemptions available for 2014, including information about where the coverage exemptions can be obtained and the code for the coverage exemption that is to be used on Form 8965 when you claim the exemption. If your coverage exemption was granted by the Marketplace, enter the ECN (see the instructions for <a href="#">Part I</a> ).			
Coverage Exemption	Granted by Marketplace	Claimed on tax return	Code for Exemption
<b>Income below the filing threshold</b> — Your gross income or your household income was less than your applicable minimum threshold for filing a tax return.		✓	No Code See Part II
<b>Coverage considered unaffordable</b> — The minimum amount you would have paid for premiums is more than 8% of your household income.		✓	A
<b>Short coverage gap</b> — You went without coverage for less than 3 consecutive months during the year.		✓	B
<b>Citizens living abroad and certain noncitizens</b> — You were: <ul style="list-style-type: none"> <li>• A U.S. citizen or resident who spent at least 330 full days outside of the U.S. during a 12-month period;</li> <li>• A U.S. citizen who was a bona fide resident of a foreign country or U.S. territory;</li> <li>• A resident alien who was a citizen of a foreign country with which the U.S. has an income tax treaty with a nondiscrimination clause, and you were a bona fide resident of a foreign country for the tax year; or</li> <li>• Not a U.S. citizen, not a U.S. national, and not an individual lawfully present in the U.S. For more information about who is treated as lawfully present for purposes of this coverage exemption, visit <a href="http://healthcare.gov">healthcare.gov</a>.</li> </ul>		✓	C

## Exemptions if Worker is Uninsured for Entire Time Present in U.S.

Some H-2A workers might not enroll in health coverage at all. Some of the most common reasons for not enrolling include:

- a) Worker is married but files separately from spouse and does not qualify for premium tax credits.
- b) Worker is not able to enroll within the 60 day Special Enrollment Period window.

There are some exemptions that may apply to workers who are in these situations.

### **Affordability Exemption**

This exemption is available to consumers if the lowest cost plan available to them (minus any tax credits they would be eligible for) is more than 8% of their household income. For many H-2A workers, the lowest cost plan will be the lowest cost bronze level plan on the Marketplace. H-2A workers who are married and file taxes separately will likely qualify for this exemption. This exemption can be claimed on the tax return for past months with no prior application. This exemption can also be applied for in advance for future months.

If a worker needs to claim this exemption in 2014, they will do so by inputting a code on IRS Form 8965. There is a worksheet on Form 8965 instructions which the worker can use to see if this exemption applies to them. They can look up the lowest cost bronze plan in 2014 by using this HealthCare.gov tool: <https://www.healthcare.gov/taxes/tools/bronze/>.

For a 2015 exemption, the worker can apply in advance, using a paper application form found at this link: <https://marketplace.cms.gov/applications-and-forms/exemption-applications.html>

## Income below Tax Filing Threshold

Workers who don't have to file a tax return because their income is below the tax filing threshold are exempt. The following chart includes the filing thresholds for different statuses.

**Filing Thresholds For Most People**

If your filing status is:	And your age is:	Then you must file a tax return if your gross income is more than:
Single	Under 65	\$10,150
	65 or older	\$11,700
Head of Household	Under 65	\$13,050
	65 or older	\$14,600
Married Filing Jointly	Under 65 (both spouses)	\$20,300
	65 or older (one spouse)	\$21,500
	65 or older (both spouses)	\$22,700
Married Filing Separately	Any age	\$3,950
Qualifying Widow(er) with Dependent children	Under 65	\$16,350
	65 or older	\$17,550

A worker who does not file taxes because his income is below the threshold does not have to take extra action to claim the exemption. If a worker does file taxes, even if his income is below the threshold, he must complete Form 8965 and check one of the two boxes in Section 2 to claim this exemption and avoid the penalty for being uninsured.

## Hardship Exemption

If other exemptions do not apply for the worker, they may consider completing an application for a hardship exemption. There are 13 specified categories for a hardship exemption. There is also a hardship exemption category for a "hardship that kept someone from getting insurance that is not listed."

An H-2A worker may want to apply for this unspecified hardship. The English application can be found here: <https://marketplace.cms.gov/applications-and-forms/hardship-exemption.pdf> and the Spanish application is here: <https://marketplace.cms.gov/applications-and-forms/exemption-application-hardship-spanish.pdf>.

There is a box in which the worker can describe the hardship that kept them from getting health insurance. For example, if the worker missed the 60 day SEP window, they may want to write about how they did not know about the application process or that they could not complete on their own in the window. The assister can add additional pages to describe the hardship if necessary.

If the hardship application is approved, the Marketplace will send the consumer an Exemption Certificate Number to include on their taxes.

## Reporting Issues

### Report Enrollment Barriers

The National Immigration Law Center (NILC) has developed a Google form (<http://nilc.org/acaproblems.html>) that in-person assisters should fill out anytime immigrant consumers that they assist encounter problems with the application process. NILC is using this information to continue its efforts to monitor the application and enrollment barriers to immigrant consumers and advocate for a less burdensome application process for the immigrant population.

In addition, assisters can report enrollment barriers to CMS through their Project Officer or the CAC mailbox.

## Resources

### Factsheets for Service Providers and Other Advocates

[Farmworker Justice ACA Factsheet](#)

[NC Justice Center Factsheet on H-2A Workers, Taxes, and the Affordable Care Act](#)

### Handouts for Consumers

Fliers from Farmworker Justice (<http://www.farmworkerjustice.org/content/access-healthcare-0>)

- [A Guide for Lawfully Present Workers and their Families \(English\)](#)
  - [Una guía para los trabajadores agrícolas y sus familias que están presentes legalmente en los Estados Unidos \(Spanish\)](#)
- [A Guide to the Health Insurance Requirement \(English\)](#)
  - [Una guía sobre el seguro médico obligatorio \(Spanish\)](#)
- [The Affordable Care Act and You: A Guide for H-2A Workers \(English\)](#)
  - [La Ley de Cuidado de Salud Asequible y Usted: Una Guía para los Trabajadores H-2A \(Spanish\)](#)

Legal Aid of North Carolina Resources About H-2A Workers, ACA and Taxes (Found at <http://www.farmworkerlanc.org/> or <http://www.farmworkerlanc.org/es/>)

- [The rights of H2A workers](#): This booklet includes information on tax filing for H-2A workers.
- A train-the-trainer [curriculum](#) for health educators on health insurance and H2A workers; and
- [Infographics](#) for H2A workers on health insurance.

### Handouts and Information from Greene County Healthcare

#### Handout for H-2A Workers Post Enrollment

The step by step instructions sheet from Greene County Healthcare has all the information the H2A worker may need after enrollment. It has basic information about their plan (start date, premium, etc.) it also has an example on how to fill out a money order, where to send it, documents they might need to send to the marketplace and the address for that as well, and where to call and what to do before they leave the US. The information in this sheet may need to be adapted based on service area and needs.

[Sheet to Collect H-2A Worker Information Needed for Application](#)

This sheet is used to collect the information needed from each worker for an application. This is especially useful if the application will be done over the phone. It can also be used for reference later on.

### [Greene County Healthcare Plan Review Tool](#)

This tool includes all plans available to consumers in the service area. Greene County Healthcare has used this tool for their area when people complete the application on the phone from start to finish. If a consumer doesn't have the option of using a computer this is a visual tool that has proven to be very helpful when explaining and selecting health insurance.

### Training Resources

Legal Aid of North Carolina: “¡Cuida tu Salud y tu Bolsillo!” Manual for Trainers (In Spanish)

This manual helps service providers learn how to explain the following issues to H-2A workers:

- What is the Affordable Care Act
- Why is it important to have health insurance?
- How does health insurance work in the US in general?
- How does an H2A worker know if s/he has to enroll?
- How to enroll and get a tax credit

To access this training, email Lariza Garzón, Community Education Coordinator with LANC at [LarizaG@legalaidnc.org](mailto:LarizaG@legalaidnc.org)

Helping H-2A Workers Enroll 2015 Webinar Series from NCCHCA

- [Part I: Overview of H-2A Worker Program and Affordable Care Act](#) (password: outreach)
- [Part II: Practical Tips for Connecting with Workers and Helping Them Enroll](#) (password: outreach)

### Marketplace Forms

Appeal Forms: <https://marketplace.cms.gov/applications-and-forms/eligibility-appeals-forms.html>

Exemption Applications: <https://marketplace.cms.gov/applications-and-forms/exemption-applications.html>