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Requirement to Get Health Coverage

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- ❖ Read this only if you live in the state of Washington.
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
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Introduction

If you do not have health insurance, or your insurance does not cover care you need, you may have options under the federal Health Care Reform (also known as Affordable Care Act, ACA, or Obamacare). Read [Health Care Reform – General Info](#).

Do I have to have health insurance?

In 2017, the President signed a new tax bill into law. It kept the requirement to have health insurance (**individual mandate**), but repealed (canceled) the penalty for not having a minimum level of health insurance.

This did not take effect immediately. You will still get a tax penalty if you did not have health insurance in 2017 and 2018. You will not if you do not buy insurance in 2019 or 2020.

For tax years 2017 and 2018, you must do one of these:

- 1) Show proof of full year health coverage for yourself and your dependents.
- 2) Claim a coverage exemption.
- 3) Include a shared responsibility payment with your tax return.

You may have heard of a court decision in Texas that said the individual mandate and the ACA were unconstitutional. That case is still ongoing. The law is still in place until there is a final decision.

What is “minimum essential coverage?”

It is the health insurance required to cover different types of medical services and pay for a certain minimum amount of your health care costs.

You already have minimum essential coverage if you have insurance through one of these plans:

- Coverage through your job.
- Washington Apple Health (Medicaid) or Apple Health for Kids (CHIP).
- Medicare and Medicare Advantage Plans.
- Government-sponsored coverage.
- Student health coverage.
- Refugee medical assistance.
- Health programs through the Veterans Administration.
- TRICARE.
- Peace Corps Volunteer programs.
- Qualified Health Plans (QHPs) bought on Healthplanfinder or other individual or group coverage.

You may **not** have minimum essential coverage if your only insurance is through one of these, or is limited to certain benefits:

- Coverage for vision only.
- Coverage for dental only.
- Cash “insurance” benefits, such as L&I disability cash payments.

I do not have minimum essential coverage.

You will not have an IRS tax penalty for failing to have health insurance in 2019 or 2020.

You might have a penalty for not having health insurance in 2017 and 2018 **unless** an exemption (exception) applies, such as:

- You do not have to file taxes. Your income is below the tax-filing threshold.
- You do not have a lawful immigration status. You do not qualify to get Medicaid or a Qualified Health Plan.
- You are in jail or prison.
- You are an enrolled member of a federally recognized Indian Tribe.
- You are eligible to get Indian health care services.
- Premiums for the lowest cost coverage available to you would cost more than 8% of your household income.
- You have certain religious objections.
- Your income is less than 138% of the Federal Poverty Level **and** you lived in a state that did not offer Medicaid Expansion. (If you live in Washington, this does not apply to you.)
- Financial or other hardship keeps you from getting coverage. The Health Benefit Exchange will decide if your hardship exempts (excuses) you from coverage.
- Your lapse in coverage lasted less than three months. You can use this exemption only once per calendar year.

If any of these apply, you must file for an exemption from coverage with the IRS. See www.healthcare.gov/exemptions. Starting with the 2019 tax year, you do not need an exemption.

How will I know I need to get health insurance?

Contact the Health Benefit Exchange, a state-approved organization administering many health coverage options, or go online at www.wahealthplanfinder.org. They can

- Tell you if you must get coverage.
- Help you apply for coverage or an exemption.

How do I contact the Health Benefit Exchange?

- Call them at 1-855-923-4633.
- Email them at customersupport@wahbexchange.org.

I am required to have insurance. What happens if I do not?

At the end of each tax year, including 2017 and 2018, the IRS checks if you were required to have health insurance. If you were, but did not have it for part or all of the year, they add a debt to your tax return for that year. This is the **individual responsibility penalty**. The penalty will be 2.5% of your household income or \$695 for each adult uninsured household member, whichever is more.

If your child did not have coverage, the penalty amount is half the adult amount. There are limits on the total penalty a family can owe.

There will be no tax penalty for not having health insurance starting in 2019.

How do I apply for coverage?

- Through Healthplanfinder online at www.wahealthplanfinder.org.
- By phone. Call 1-855-923-4633.
- Using a paper application from Healthplanfinder or your local DSHS office.

If you go online, make sure you go to www.wahealthplanfinder.org. Similar looking sites are often copycat scams.

Can I get help applying?

Yes. Call an In-Person Assister (Navigator) or insurance broker. Go to www.wahealthplanfinder.org. Click on the link for customer support to search for one in your area.

❖ **COVID-19 alert:** To keep everyone safe during the pandemic, Healthplanfinder and Navigators will supplement hold socially distanced in-person events and virtual enrollment events, and use phone, and online video.

Get Legal Help

Outside King County, call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm.

In King County, call 2-1-1 weekdays between 8:00 am - 6:00 pm. They will refer you to a legal aid provider.

Seniors (age 60 and over) can also call CLEAR*Sr at 1-888-387-7111, statewide.

You can also apply online with CLEAR*Online: nwjustice.org/get-legal-help.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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