

**FUTURES
WITHOUT VIOLENCE****HEALTH INSURANCE FOR VICTIMS OF
DOMESTIC VIOLENCE: HOW TO APPLY
FOR COVERAGE IN THE HEALTH
INSURANCE MARKETPLACE**

Open Enrollment is November 15, 2014 - February 15, 2015. During this time, people can purchase or renew health insurance coverage through the Insurance Marketplace.

The application to enroll in health insurance can be found either healthcare.gov or through their state's Insurance Marketplace website. The application asks for information about income in order to determine what type of financial help will be available to make health insurance coverage more affordable.

The application requires all members of the family to report their income in order get a complete picture of the household's income; when a couple is married, both people are required to report their income.

Some victims of domestic violence and abandoned spouses are able to qualify for financial help based on their own salary—making needed health insurance much more affordable to these victims. To qualify, these individuals must:

- be legally married
- live separately from their spouse
- plan to file taxes separately from their spouse
- who are legally married but who do not live

If they meet these conditions, they are not required to count the spouse's income towards their household income.

In order to do this, victims of domestic violence who meet the criteria must mark “not married” on their healthcare.gov application. This is the only way that the online application is able to process the applications. After they have completed the application, consumers will be able to see what financial help they are eligible for based only on their income.

It is important to note that this is official IRS and HHS guidance. This is how these federal agencies have formally recommended that victims of domestic violence apply. These consumers will not face a penalty for indicating that they are not married—when they actually are married.

The Process

- Consumers who meet these criteria can log on to [healthcare.gov](https://www.healthcare.gov) or call the Call Center at 1-800-318-2596.
- Start a new application
- Consumers MUST mark “not married” on the application. This will allow the appropriate eligibility determination for financial help
- Consumers then can choose a plan that best meets their needs

Free, local in-person help is available to all consumers across the country. These assisters are trained to help all consumer apply for health insurance and to walk them through the whole process. Find local help by entering a zip code at localhelp.healthcare.gov.

No documentation will be needed to prove domestic violence on the application. But it will be necessary to “attest” on the next year’s tax return that the victim is unable to file taxes jointly due to domestic abuse. This means that anyone who receives financial help based on this “DV exception” will have to certify on their tax form that he or she fits the criteria—though no documentation should be required.

The IRS and [healthcare.gov](https://www.healthcare.gov) take all appropriate measures to guarantee the safety and confidentiality of taxpayers and applicants. However, there are limits to the confidentiality of these documents. Sometimes current tax forms are required to apply for a mortgage, for example. Futures Without Violence has strongly recommended that all paperwork regarding domestic violence be safeguarded and not included in these transactions but the exact protections are not yet clear.

There may be implications for victims of domestic violence who claim this credit but reconcile with their spouse and live with their spouse at the time taxes are filed.

For questions please contact Lisa James at the National Health Resource Center on Domestic Violence, ljames@futureswithoutviolence.org. For more information about health care responses to domestic violence, please see www.healthcaresaboutipv.org.