

FREQUENTLY ASKED QUESTIONS

Affordable Care Act Eligibility for Special Immigrant Juveniles and Other Immigrant Children

Beginning November 1, 2024, thousands of young immigrants are able to purchase health insurance through the Affordable Care Act (ACA) Exchanges. The ACA helps provide health insurance plans to people who may otherwise not be able to get health insurance. Because of a clarification of federal rules relating to when a noncitizen is “lawfully present” in the United States, people who are DACA recipients as well as youth who are applying for Special Immigrant Juvenile Status (SIJS) or who have been granted SIJS are now eligible for certain ACA insurance marketplaces, programs, and subsidies. Children under 14 who have filed applications for asylum, withholding of removal, or protection under the Convention Against Torture are also considered lawfully present and eligible for marketplaces or subsidies under the ACA under the new rule. It is important to know that this rule change does not expand eligibility for Medicaid or the Children’s Health Insurance Program (CHIP), although a child may be eligible for state-funded health insurance programs for children, depending on the state.

Before this rule, federal regulations specifically excluded DACA recipients from the definition of individuals who are lawfully present, even though recipients of deferred action through other means were considered eligible. Earlier regulations also considered children and youth who are applying for SIJS as lawfully present, but they did not address children who had already been granted SIJS by the federal government who were awaiting visa availability. Earlier regulations also required people—including children—who had filed applications for asylum, withholding of removal, or protection under the Convention Against Torture to wait for 180 days before becoming eligible for ACA programs. The clarifications of “lawfully present” in the recent regulation ensure that young immigrants in those categories can access health insurance through the ACA.

If I am not a U.S. citizen, can I get health insurance through the ACA?

To be eligible to get health insurance through the ACA if you are not a U.S. citizen, you must be in one of the following categories:

- Special Immigrant Juvenile Status (SIJS) recipients
- Deferred Action for Childhood Arrivals (DACA) recipients
- Children under age 14 who have applied for asylum, withholding of removal, or relief under the Convention Against Torture
- Any immigrant with an Employment Authorization Document (EAD, or work permit), regardless of the underlying eligibility category
- Lawful permanent residents or applicants who have applied for permanent residency

How do I enroll in insurance?

You can enroll online at [HealthCare.gov](https://www.healthcare.gov) or through your state's health insurance marketplace. You can find assistance selecting and enrolling in an insurance plan through local community organizations. Find help near you [here](#) or use [this guide](#).

When can I get insurance coverage?

Open enrollment begins on November 1, 2024, for coverage beginning on January 1, 2025. However, if you are eligible because of this rule change and enroll by November 15, 2024, and indicate in the enrollment process that you qualify for a Special Enrollment Period (SEP) due to becoming newly eligible for coverage, you are eligible for coverage as early as December 1, 2024.

How much will insurance cost?

The cost of insurance varies depending on each person and the plan you choose. Explore and compare plan options [here](#).

I can't afford to pay for health insurance. Is financial help available?

Yes. Depending on their income, people who have been granted SIJS and other immigrants may be eligible for subsidies and tax credits to help pay for insurance coverage. To see what plans or financial assistance you might be eligible for, go to [healthcare.gov](https://www.healthcare.gov).

Where can I go to find general information?

If you would like to learn more about this rule change and eligibility for health insurance under the ACA, you can visit the following:

- [HHS Final Rule Clarifying the Eligibility of Deferred Action for Childhood Arrivals \(DACA\) Recipients and Certain Other Noncitizens](#), Centers for Medicare & Medicaid Services
- [Health Coverage Options for Deferred Action for Childhood Arrival \(DACA\) Recipients and Certain Other Categories of Immigrants](#), Centers for Medicare & Medicaid Services
- [Frequently Asked Questions: Affordable Care Act Eligibility for DACA Recipients](#), National Immigration Law Center
- [“Clarifying the Eligibility of Deferred Action for Childhood Arrivals \(DACA\) Recipients and Certain Other Noncitizens for a Qualified Health Plan through an Exchange, Advance Payments of the Premium Tax Credit, Cost-Sharing Reductions, and a Basic Health Program.”](#) Department of Health and Human Services, Centers for Medicare & Medicaid Services, 89 FR 39392
- [Know your Rights: Is it Safe to Apply for Health Insurance or Seek Health Care?](#) National Immigration Law Center