



The Affordable Care Act (ACA) and International Student FAQs

The Affordable Care Act (ACA) has raised many questions regarding health insurance for international students. Conflicting interpretations of the regulations are causing confusion throughout the marketplace. As a leader in this international student market, HTH Worldwide has committed to providing resources to help mitigate this confusion. To this end, the HTH management team has dedicated, and will continue to dedicate, valuable resources to work with the federal agencies, the Department of Health and Human Services, state-level Departments of Insurance and industry-specific legal counsel to determine what these interpretations mean to the institutions looking to provide the best healthcare for their international student population.

1. Does my state regulate international student health insurance in ways that differ from the federal Affordable Care Act (ACA)?

Although the ACA is a federal law, certain states may supplement federal regulations with requirements of their own. For example, New York has passed legislation that applies the concept of Minimum Essential Benefits to study abroad health plans under certain circumstances. The answers to these FAQs are specific to regulations issued by federal agencies.

2. Do colleges or universities have any specific responsibilities to international students or federal agencies under the ACA?

No. The ACA does not require colleges and universities to offer any type of health insurance plan to international students, nor does the ACA impose any new reporting requirements if students are employed by the institution less than 30-hours per week. The colleges and universities face no penalties or fines for offering health plans that may not fully conform to ACA requirements.

3. Does the ACA affect study abroad health plans?

No. These plans supplement any coverage that students who are U.S. citizens and residents must carry to meet ACA requirements.

4. Do international students in the U.S. need to meet the ACA's individual mandate?

Under regulations published in August 2013 by the U.S. Internal Revenue Service, which enforces the mandate, international students with valid student visas are exempt from the individual mandate and do not need to enroll in an ACA-compliant plan.

5. Does the ACA affect international students' visa requirements?

Under regulations published in August 2013 by the U.S. Internal Revenue Service, which enforces the mandate, international students with valid student visas are exempt from the individual mandate and do not need to enroll in an ACA-compliant plan.

6. What uncertainties about the ACA and international students remain?

International students living in the United States are eligible to purchase plans directly from the new healthcare exchanges (www.healthcare.gov), but it is not yet clear if they qualify for subsidies, nor how the subsidies would be administered.

7. What are the leading options for health plans for international students in the U.S.?

As the answers above indicate, the ACA's requirements for international students do not result in a universal solution. Buyers therefore should continue to evaluate solutions for their students with the knowledge that the ACA does not dictate any course of action, but rather offers the option of allowing students access to the HealthCare Marketplace (www.healthcare.gov) to purchase a plan that meets their visa requirements.

HTH Worldwide continues to offer group plans that exceed J visa requirements. These plans are classified as Short-term Limited Duration (STLD) plans under ACA regulations and are entirely appropriate for international students in the U.S. and study abroad participants. All of the group STLD plans have been approved by each state's Department of Insurance.