

FAQ

New Low-Income Special Enrollment Period

There is a new special enrollment period (SEP) available as of March 2022 that makes it easy for people with low income to enroll in a marketplace plan outside of open enrollment.

The information in this FAQ only applies to the federal marketplace (HealthCare.gov).

1 What is the new SEP for low-income people?

People who are eligible for an advance premium tax credit (APTC) and have a projected income at or below 150% [Federal Poverty Line \(FPL\)](#) (\$20,385 for a household of one and \$41,625 for a family of four in 2023) are now eligible for a new SEP on the federal marketplace that allows them to enroll in a plan *in any month during the year*, without having to experience a [qualifying life event](#).

State-based marketplaces (SBMs) have the option to provide this SEP but they aren't required to. If you live in a [state with a SBM](#), check with your state to see if they will be providing this SEP and when it will be implemented.

2 Who is eligible for this SEP?

To qualify for the new SEP, a person must:

1. Be eligible for an APTC based on the [normal eligibility rules](#)
2. Have an annual projected income that is at or below 150% FPL

This SEP doesn't change the rules for APTC eligibility. People who are not eligible for an APTC under the normal rules (such as people who are [eligible for insurance through their job](#)) are not eligible for the SEP.

3 When will the SEP be available and how can it be accessed for people in the federal marketplace (HealthCare.gov)?

The SEP is available now in the federal marketplace. People can access it online through the HealthCare.gov application.

4 When would coverage begin for someone using this SEP?

For the federal marketplace, a person who enrolls using this SEP will have coverage beginning the first day of the month following plan selection, no matter which day during the month the person applied.

5

Can current marketplace enrollees use this SEP to switch plans?

Yes, but with restrictions. A current enrollee with projected income up to 150% FPL who is eligible for an APTC can switch to a silver plan or, if they're already enrolled in a silver plan, to a different silver plan. They cannot switch to another plan tier, like a bronze or gold plan. Enrollees can switch plans multiple times during the year.

Note: There are additional plan category limitations when a dependent is added or in other special circumstances.

6

Is this SEP available to people in the Medicaid coverage gap?

No. People with income below 100% FPL who live in one of the [twelve states that has not expanded Medicaid](#) are generally not eligible for Medicaid and are also not eligible for an APTC. (This is known as the "Medicaid coverage gap.") A person who is not eligible for an APTC is not eligible for this SEP.

Exception: Certain people with a lawfully present immigration status and income below 100% FPL may qualify for an APTC because they are not eligible for Medicaid due to the [5-year waiting period](#).

7

Do people need to submit documentation to get this SEP?

People can get this SEP and enroll in a plan by attesting (agreeing) that their projected annual income is based on truthful information. The federal marketplace will not require people to submit pre-enrollment documentation, but it will do the normal post-enrollment verification process. First, the marketplace will attempt to verify an enrollee's income using electronic data sources (such as a prior tax return). If income cannot be verified, the enrollee will be asked to submit documentation through the [data matching issue \(DMI\) process](#).

8

Is this new SEP permanent?

This SEP can only be used in years when increased APTC allows people with income up to 150% FPL to purchase a benchmark plan (second lowest cost silver plan) with a zero-dollar premium. (In some cases, premiums might be slightly higher than zero dollars, if a state elects a more comprehensive benefit package.) The [American Rescue Plan](#) increased the amount of APTC people could get, which made plans with zero-dollar premiums available to people with income up to 150% FPL. The Inflation Reduction Act of 2022 extends the American Rescue Plan's higher APTC, including for people with income up to 150% FPL, through the 2025 Coverage Year. The low-income SEP will be available at least through this time.

For more resources, visit www.healthreformbeyondthebasics.org.