**Open Enrollment 8**

**Consumer Facing Messaging Guidance**

* The health insurance marketplace remains open for business -- open enrollment is November 1 through December 15. The marketplace is open and you will be able to enroll in a plan for 2021.
	+ Open enrollment is November 1 through December 15.
	+ Don’t delay, enroll today!
* 2021 plans will be more affordable, according to early indications from insurers and state governments. In fact, in several locations, prices have actually decreased.
	+ Insurers have expanded plan offerings and entered new markets in many different regions, so consumers should be sure to check [www.healthcare.gov](http://www.healthcare.gov) or their state exchange to explore their options.
* The health insurance marketplace has new plans and prices every year, so it’s important for consumers to explore your coverage options for 2021 whether or not you’ve enrolled before. Many consumers have also experienced changes in their income as a result of the pandemic, so it’s more important than ever to shop for plans this year and compare prices.
	+ Millions of consumers receive financial assistance to help lower the cost of insurance - and premium subsidies will continue to keep pace with the cost of the benchmark plan in their area.
	+ Last year, nearly nine out of ten people who enrolled through HealthCare.Gov qualified for financial help to make coverage more affordable.
	+ Visit [HealthCare.Gov or the state marketplace] to shop around and find a plan that works for you and your family.
	+ In many locations, premiums have decreased for the 2021 plan year - be sure to explore your coverage options!
	+ On average, 8 in 10 shoppers qualify for a plan for less than $100/month.
* Free in-person, phone or virtual enrollment assistance is still available for consumers that would like to explore their health coverage options.
	+ There are a variety of enrollment assistance options depending on your comfort level with in-person assistance or the availability of internet services in your area. Call your local enrollment assister to schedule an appointment today!
	+ We know that when people meet with an enrollment assister, they are nearly twice as likely to complete enrollment. Help consumers find help near them - find an appointment through the [Get Covered Connector](https://connector.getcoveredamerica.org/en-us/widget/).
	+ Log on to the official ACA marketplace at HealthCare.Gov, or CuidadodeSalud.Gov, call the marketplace call center at 1-800-318-2596, or make an appointment for free assistance.
* Health insurance protects you and your family from the unexpected and gives you peace of mind. An accident or illness can happen any day and it’s important to be prepared.
	+ When it does, the last thing you want to worry about is how you will pay for your health care and avoid taking on costly medical debt.
	+ All marketplace plans cover doctor visits, hospital stays, prescriptions, preventive care and more.

**Messaging Guidance for Advocates**

**Court Cases/Lack of Funding**

* On November 10, the Supreme Court of the United States will hear oral arguments in the Health Care Repeal Lawsuit *(California v Texas).* A decision in the case is expected in June 2021, however, until a decision is made, the ACA remains the law of the land. You will still be able to enroll in coverage for 2021.
* Several states are without navigator programs that provide assist people with enrollment.
	+ This will continue to make it more difficult for individuals and families to make informed decisions about their health insurance options.
	+ This lack of support reduces the availability of highly-demanded enrollment assistance and promotional materials.
* Lack of funding, on top of the condensed enrollment calendar, continues a series of attacks on our health care system orchestrated by opponents to the Affordable Care Act.
	+ The confusion and chaos around health care means more consumer assistance is required leading into this year’s open enrollment, not less.

**Health Care Repeal Lawsuit**

* The Supreme Court is hearing oral arguments in the Health Care Repeal Lawsuit (California v. Texas) on November 10, 2020.
* A lawsuit brought by the attorney general of Texas, along with more than a dozen other states, argues that without the tax penalty, the entirety of the Affordable Care Act ought to be ruled unconstitutional.
* A favorable decision for the plaintiffs would throw the care of millions of people into chaos and return us to the dark days when insurance companies were allowed to charge exorbitantly high rates or deny coverage to those living with pre-existing conditions.
* The Affordable Care Act, alongside Medicare and Medicaid, provides millions of Americans with high quality, affordable health care that was once out of reach to many.
* Consumers should continue to explore their insurance options as the final decision by the Supreme Court won’t be until June 2021.

**Public Charge** (for more talking points and FAQs visit [*Protecting Immigrant Families*](https://protectingimmigrantfamilies.org/))

* This regulation would make use of many health, anti-hunger, anti-poverty, or affordable housing programs a disqualifier for immigration, putting millions of families at risk. The result: a sicker, hungrier, poorer nation.
* While most immigrants who are subject to public charge are not eligible for the benefits that count under the rule, the rule creates fear and confusion for many immigrant families. There is already evidence that many immigrant families are not seeking treatment out of fear for their status or the status of a family member.

**Are advance premium tax credits (subsidies) under the Affordable Care Act counted in the public charge test?**

* Receipt of advance premium tax credits (subsidies) under the Affordable Care Act (ACA) is not counted as receipt of a public benefit.  And having subsidized health coverage under the ACA or other private health insurance can help overcome a negative weight based on a person’s health condition.  But, only private insurance *without subsidies* is weighed as a heavily *positive* factor.

**In many states, people applying for health insurance on the exchange, or seeking state-funded health insurance, are automatically reviewed for Medicaid eligibility. Is this considered an application for Medicaid?  Must it be reported?**

* Where programs (either under the ACA or state funded health programs) require a Medicaid screening prior to an eligibility determination, this may be considered an application. However, immigrants will also have the opportunity to provide evidence that they were denied these benefits, and why.

**Short-Term Plans**

* Short-term plans often leave people with health care that may not be there when they need it most.
* Short-term plans, combined with other efforts to sabotage the ACA will:
	+ Allow health insurers to sell subpar insurance that won’t cover basic health care needs -- and then charge unaffordable rates if one gets sick.
	+ Gut protections for people with pre-existing conditions, making coverage unaffordable.
	+ Destabilize the ACA marketplaces by segregating people who are sick or have pre-existing conditions into separate health care markets, which would drive up the cost of coverage for people who need comprehensive coverage.