



Affordable Care Act Enrollment Assistance for the LGBT Community:

A Resource for Behavioral Health Providers

LGBT Enrollment Assistance Highlights



- Many lesbian, gay, bisexual or transgender (LGBT) individuals lack health insurance and would benefit from enrollment support.
- Behavioral health providers need to know basic facts about LGBT health disparities and experiences with coverage and care in the LGBT population.
- Providers also need to understand the fundamentals of the Affordable Care Act and aspects of the law that are particularly relevant to helping LGBT people access coverage.
- There are many resources available to support LGBT individuals in enrolling in appropriate coverage.

Toolkit Purpose

This toolkit is designed to:

- Increase provider awareness of issues that particularly affect the LGBT population
- Provide information on key provisions of the Affordable Care Act
- Provide information specific to enrollment for LGBT communities
- Offer resources to support LGBT individuals who have questions or are ready to enroll

More details about the information in this slide deck can be found in the briefing paper *Getting Ready to Get Covered*.

Why Does It Matter?

- Among the LGBT community members who are low- or middle- income, one in four-26 percent-lack health insurance.
- Many of these uninsured LGBT individuals are eligible for financial assistance to gain coverage under the Affordable Care Act.
- Insurance coverage and access to health care are especially important for LGBT individuals because the LGBT population experiences health disparities such as elevated risk of depression, suicidal ideation, and substance use and misuse.
- These disparities are related to the discrimination, prejudice, and social exclusion that many LGBT people encounter throughout their life.

Specific Concerns for the LGBT Population

- LGBT individuals encounter many barriers to employer-sponsored insurance, such as high levels of poverty and a lack of LGBT-inclusive protections from employment discrimination.
- Many people in same-sex relationships have difficulty obtaining a family policy to cover their partner or spouse.
- LGBT individuals may be unaware of financial assistance in obtaining insurance or new laws protecting against discrimination.

Affordable Care Act Basics and the LGBT Community



- Financial help is available on a sliding scale through the Marketplaces for individuals with an annual income of up to roughly \$47,000 per year and for a family of four making up to almost \$100,000.
- Marketplaces must treat legally married same-sex couples equally with regard to financial assistance and family coverage, regardless of state of residence.
- Marketplaces and the plans sold through them cannot discriminate based on sexual orientation or gender identity.
- Individuals cannot be charged higher premiums just because they are gay, lesbian, bisexual, or transgender, or because they have a condition such as HIV.

Behavioral Health Coverage Considerations



- Plans cannot deny coverage because of pre-existing conditions such as depression, a substance use disorder, or a transgender-related medical history, and they cannot place annual or lifetime dollar limits on coverage.
- Many plans must cover the Essential Health Benefits, which include mental and substance use disorder services and prescription drugs.
- Most plans must cover preventive services at no cost, including adult depression screenings and child behavioral assessments.
- All Medicaid plans cover behavioral health options such as counseling, therapy, medication management, peer support, and substance abuse treatment.

Enrollment and Coverage Considerations for the LGBT Community



- ***Privacy Protections:*** The Health Insurance Portability and Accountability Act (HIPAA) and the Affordable Care Act both provide protections against improper disclosure of personal medical information, including information related to a person's sexual orientation or transgender status.
- Substance abuse treatment programs or providers must obtain patient consent before disclosing protected health information, with limited exceptions.

More Enrollment and Coverage Considerations for the LGBT Community



- ***Access to Coverage:*** Patients may appeal if they are denied coverage for behavioral health services or for other medically necessary services that they believe are covered under their plan.
- The website for consumer complaints and appeals at the Federal Office for Civil Rights can be found at https://ocrportal.hhs.gov/ocr/cp/complaint_frontpage.jsf.

More Enrollment and Coverage Considerations for the LGBT Community



- ***Nondiscrimination Protections:*** Section 1557 of the Patient Protection and Affordable Care Act, which prohibits discrimination on the grounds of race, color, national origin, sex, age, or disability in health care, also applies to the Marketplaces.
- The nondiscrimination protections of Section 1557 include gender identity and sex stereotyping.

LGBT Cultural Competency

- ***Cultural Competency:*** A safe and understanding clinical setting enables providers and patients to discuss the wide variety of issues that may be relevant to an individual's health, including sexual orientation and gender identity.
- Federally supported LGBT cultural competency curricula offering Continuing Medical Education (CME) credit can be accessed online at <http://www.samhsa.gov/behavioral-health-equity/lgbt/curricula>.

Choosing a Health Plan



- Many LGBT individuals have never shopped for health coverage and may not know how to choose a health plan.
- This is especially true for LGBT individuals with low incomes who may be eligible for financial assistance under the Affordable Care Act to access affordable coverage.
- When shopping for a plan, consumers should note that insurance premiums are not the only important factor.
- The next slide outlines some additional factors for LGBT consumers to consider.

Factors to Consider When Choosing a Health Plan

- What are the out-of-pocket costs, such as deductibles, coinsurance, and copayments? Marketplace plans fall into one of four “metal tiers”—bronze, silver, gold, and platinum—that denote different levels of cost sharing for covered benefits.
- Does available family coverage include domestic partners and individuals in civil unions as well as legal marriages? How many children or other dependents does the plan cover?
- Which services are covered?
- Which medications are included in the plan’s formulary?
- Which providers and health care facilities, such as specialty hospitals, primary care clinicians, and HIV specialists, are in the plan’s network?

Personal Enrollment Assistance



- Every state has organizations designated as Navigators and other consumer assistance personnel that provide enrollment support, including certified application counselors, in-person assisters, and other terms that may differ by state.
- Many community health centers and other community-based organizations are qualified to assist consumers, and insurance agents or brokers can also provide assistance.
- There are two main ways to find help:
 - Visit <https://localhelp.healthcare.gov> and enter the city, state, or ZIP Code to find local organizations that offer assistance.
 - Call HealthCare.gov at 1-800-318-2596 to get personal assistance or voice any concerns. Help is available 24 hours a day, 7 days a week in English and many other languages.

Financial Enrollment Assistance



- The Affordable Care Act provides premium tax credits for individuals purchasing insurance through the Marketplaces who meet certain income and eligibility criteria.
- Individuals enter the amount of income they expect to make over the next year on their Marketplace application, and the Internal Revenue Service (IRS) calculates the subsidy amount and pays the insurance carrier directly for the plan the individual selects.
- The consumer is then responsible for paying the remainder of the cost of the plan in monthly premium payments made directly to the insurance carrier. They must also reconcile the amount of assistance they received at the end of the year when they file a tax return.

Eligibility for Financial Assistance

- To be eligible for financial assistance, individuals must apply through their state's Marketplace and meet the following requirements:
 - Must be a citizen or legal resident
 - Must have an income between 100 percent and 400 percent of the Federal Poverty Level
 - Must not be eligible for Medicaid, Children's Health Insurance Program (CHIP), Medicare, or TRICARE
 - Must not have an offer of adequate employer-sponsored coverage
- Subsidy amounts are pegged to the cost of a silver plan.
- Some individuals will also qualify for financial assistance with out-of-pocket costs for deductibles, copayments, and coinsurance.

Finding a Provider: Referral Sources



- SAMHSA's Behavioral Health Treatment Services Locator:
 - Visit <http://findtreatment.samhsa.gov/>.
 - Search for a provider organization by location.
 - Click on More Information next to a provider organization's name.
 - Under Special Programs/Groups, search for "LGBT clients".
- Gay and Lesbian Medical Association (GLMA) Provider Directory:
 - Visit www.glma.org and click on Find a Provider.
- Local LGBT community centers via organizations such as CenterLink (www.lgbtcenters.org)
- Personal networks of friends, family members, and other community members

Behavioral Health Provider Associations



Many behavioral health provider associations have LGBT resources or affinity groups:

- Association of Gay and Lesbian Psychiatrists (www.aglp.org)
- Association of Lesbian, Gay, Bisexual, and Transgender Addiction Professionals and Their Allies (www.nalgap.org)
- American Psychological Association Lesbian, Gay, Bisexual and Transgender Concerns Office (<http://www.apa.org/pi/lgbt/>)
- Association for Lesbian, Gay, Bisexual and Transgender Issues in Counseling (<http://www.algbtic.org/>)

LGBT Community Health Centers



Many community health centers have experience working with the LGBT population and can be good sources of care and referrals to providers in your area. Some examples of such organizations include:

- Fenway Health (www.fenwayhealth.org)
- Callen-Lorde Community Health Center (www.callen-lorde.org)
- Chase Brexton Health Services (www.chasebrexton.org)
- Whitman-Walker Health (www.whitman-walker.org)
- Howard Brown Health Center (www.howardbrown.org)
- Legacy Community Health Services (www.legacycommunityhealth.org)
- Lyon-Martin Health Services (www.lyon-martin.org)
- L.A. LGBT Center (www.lalgbtcenter.org)

Finding a LGBT-Affirming Provider



- There are a variety of ways for providers to indicate to their patients that they are LGBT-affirming.
- The Health Resources and Services Administration (HRSA)-supported National LGBT Health Education Center at The Fenway Institute (www.lgbthealtheducation.org) suggests the following strategies as examples:
 - Display LGBT-oriented literature in the waiting area.
 - Include demographic questions about sexual orientation and gender identity and references to domestic partners on intake paperwork.
 - Offer write-in options for indicating preferred name and gender pronoun if different from what is on legal identification forms.
 - Use open and nonjudgmental language in any questions regarding sexual behavior.

LGBT Enrollment Resources

- www.healthcare.gov and www.cuidadodesalud.gov
- Out2Enroll: Connecting LGBT people with their new coverage options under the Affordable Care Act: www.out2enroll.org
- Where to Start, What to Ask: A Guide for LGBT People Choosing Healthcare Plans: <http://strongfamiliesmovement.org/lgbt-health-care-guide>
- Kaiser Family Foundation brief on LGBT health: <http://kff.org/disparities-policy/issue-brief/health-and-access-to-care-and-coverage-for-lesbian-gay-bisexual-and-transgender-individuals-in-the-u-s/>

SAMHSA LGBT Health Resources for Providers



- SAMHSA/CSAT: *A Provider's Introduction to Substance Abuse Treatment for Lesbian, Gay, Bisexual, and Transgender Individuals Training Curriculum* (First Edition):
www.attcnetwork.org/regcenters/generalContent.asp?rcid=12&content=STCUSTOM3
- The same publication is available in Spanish: *Una Introducción para el Proveedor de Tratamiento de Abuso de Sustancias para Lesbianas, Gays, Bisexuales e Individuos Transgénero*:
www.attcnetwork.org/regcenters/productdetails.asp?prodID=555&rcID=16
- SAMHSA Office of Behavioral Health Equity LGBT resources:
<http://www.samhsa.gov/behavioral-health-equity/lgbt>

More LGBT Health Resources for Providers



- National Institute on Alcohol Abuse & Alcoholism (NIAAA): Social Work Curriculum on Alcohol Use Disorders: Module 10G: Sexual Orientation and Alcohol Disorders
<http://pubs.niaaa.nih.gov/publications/social/Module10GSexualOrientation/Module10G.html>
- National LGBT Health Education Center at The Fenway Institute:
www.lgbthealtheducation.org
- Center of Excellence for Transgender Health at the University of California at San Francisco: www.transhealth.ucsf.edu
- Project HEALTH – A program of Lyon-Martin Health Services and the Transgender Law Center: www.project-health.org

Acknowledgements

This toolkit was prepared for the Substance Abuse and Mental Health Services Administration (SAMHSA) by Truven Health Analytics in partnership with Out2Enroll, under contract with SAMHSA, U.S. Department of Health and Human Services.