

Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



www.kansaslegalservices.org

Affordable Care Act and Divorce (and other Life Changes)

“...In the post-ACA era, health insurance isn’t the binder it once was for holding bad marriages together. With more options available on the market and preexisting conditions no longer an issue, people once reluctant to divorce for fear of losing health insurance coverage would do well to reconsider.”

Robert Clandra, Insurance No Longer May Hinder Divorce, The Inquirer, March 2014

[Read about current enrollment period here.](#)



Many people put off getting a divorce out of fear for their financial futures. Some of these fears often have to do with healthcare options.

In the past, stay-at-home moms, for example, may have wavered more for fear of getting kicked off their spouse’s health insurance plan and not being able to afford insurance on their own.

The Affordable Care Act seeks to ease these blocks through special enrollment for people going through a qualifying life event (*see definition below*).

In 2012, the University of Michigan released a study that found that 115,000 women lose their private health insurance every year in the wake of divorce. The study also found that women do not regain coverage quickly after a divorce. Roughly 65,000 of these women become uninsured. Many of the women:

- Did not have jobs outside the home;
- Worked at jobs that did not offer insurance;
- Could no longer afford the premiums of their employer-sponsored plans;
- Qualify for post-divorce COBRA health benefits under their ex-spouse's plan, but that is of a limited duration of 36 months - and is often too expensive.

Thanks to the Affordable Care Act, these people have other options.

Some people may be able to use special enrollment periods.

If you experience a "qualifying life event," you'll still be able to sign up for private insurance in the Marketplace.

A **qualifying life event** is a **change in your life** that can make you suited for a Special Enrollment Period to enroll in health coverage.

Examples of qualifying life events are: moving to a new state, certain changes in your income (like changing jobs), and changes in your family size (for example, if you marry, divorce, or have a baby), etc.



If you are going through a divorce, you are fit for special enrollment. Once your divorce is complete, you will usually have 60 days to secure new coverage to avoid paying a penalty.

One detail you might want to remember is for when you file your taxes that year. You will need a document from your earlier health insurance company stating that you were insured for the first part of that year.

Depending on the nature of your divorce, you might want to be sure you can get that document directly from the insurance company.

You can also contact the Marketplace Call Center to apply by phone. Be sure to tell the agent that you believe you are fit for a Special Enrollment Period.

To apply for affordable care, visit the [Getting Health Coverage Outside Open Enrollment](#) page of the healthcare.gov site and click on "Apply Now." Call 1-800-318-2596 (TTY: 1-855-889-4325) 24 hours a day, 7 days a week.

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