

United States Senate

WASHINGTON, DC 20510-4704

COMMITTEES:
APPROPRIATIONS
BUDGET
HEALTH, EDUCATION, LABOR,
AND PENSIONS
RULES AND ADMINISTRATION
VETERANS' AFFAIRS

March 25, 2014

The Honorable Jack Lew
Secretary
Department of the Treasury
1500 Pennsylvania Avenue, Northwest
Washington, DC 20220

The Honorable Kathleen Sebelius
Secretary
Department of Health & Human Services
200 Independence Avenue, Southwest
Washington, DC 20201

Dear Secretary Lew and Secretary Sebelius:

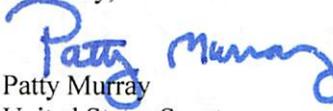
I write today regarding access to health insurance premium assistance tax credits for survivors of domestic violence. It has come to my attention that some survivors of domestic violence are facing barriers to qualifying for health insurance premium assistance because they do not file a joint tax return with their spouse. I join my colleague Senator Mark Begich of Alaska in encouraging you to issue guidance for these individuals as soon as possible, ensuring their access to comprehensive quality health care as provided under the Affordable Care Act (ACA).

Over the years, I have worked to ensure women have access to quality, affordable, comprehensive coverage no matter where they live or who they are married to, and regardless of their income or any other characteristic that may be used to create a barrier to this access. I believe the ACA provides real and tangible benefits for women, and I am proud of the coverage that we made available. The ACA has increased access to critical health care services for all women, including survivors of domestic violence and their families. Prior to the ACA, eight states and the District of Columbia permitted insurance companies to treat domestic violence as a pre-existing condition. Today, the law prohibits insurance companies from denying coverage based on pre-existing conditions. Under the ACA, many insurance plans must now cover key preventive health services for women, including screening and counseling for interpersonal and domestic violence. I thank the Administration for working with Congress to implement these important provisions of the ACA and working to ensure that millions of women get access to the coverage Congress created in the ACA. However, I remain concerned that survivors of domestic violence still face barriers to enrolling in affordable health insurance coverage under the ACA, and encourage the Administration to take the necessary steps to appropriately address this issue.

It is not uncommon for survivors of domestic violence to file taxes separately from their spouse. These individuals have encountered difficulty in obtaining eligibility for tax credits to help them purchase insurance through the new Health Insurance Marketplaces because they are currently required to file taxes jointly with their spouse to qualify for advanced premium tax credits. As a result, survivors of domestic violence may be forced to choose between accessing a benefit they need and the potential risk of staying in contact with an abusive spouse.

The Department of the Treasury has acknowledged the need to address this issue, and stated in May 2012 it "intends to propose additional regulations regarding eligibility for the premium tax credit to address circumstances in which domestic abuse, abandonment, or similar circumstances create obstacles to the ability of taxpayers to file joint returns." As the end of the open enrollment period draws near, it is my hope that the Administration will take swift action to clarify this issue and offer guidance to these individuals as soon as possible. If you have any questions, please do not hesitate to contact Melanie Rainer of my staff at (202) 224-0529.

Sincerely,


Patty Murray
United States Senator

154 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-4704
(202) 224-2621

2930 WETMORE AVENUE
SUITE 903
EVERETT, WA 98201-4107
(425) 259-6515

2988 JACKSON FEDERAL BUILDING
915 2ND AVENUE
SEATTLE, WA 98174-1003
(206) 553-5545
TOLL FREE: (866) 481-9186

10 NORTH POST STREET
SUITE 600
SPOKANE, WA 99201-0712
(509) 624-9515

950 PACIFIC AVENUE
SUITE 650
TACOMA, WA 98402-4450
(253) 572-3636

THE MARSHALL HOUSE
1323 OFFICER'S ROW
VANCOUVER, WA 98661-3856
(360) 696-7797

website: <http://murray.senate.gov>
e-mail: <http://murray.senate.gov/email>

PRINTED ON RECYCLED PAPER

402 EAST YAKIMA AVENUE
SUITE 420
YAKIMA, WA 98901-2760
(509) 453-7462