



## **The Affordable Care Act and Domestic and Sexual Violence**

*"Intimate partner violence, rape, stalking – all of these forms of violence can create toxic stress on the body that is long-lasting and cumulative, and can negatively impact a person's health and well-being for the rest of their life."*

Dr. Howard Spivak, Director  
Violence Prevention, CDC

The Affordable Care Act (ACA) recognized that domestic, dating and sexual violence are far too prevalent and that they negatively impact victims' health. The law included measures to support survivors and promote prevention as part of a national healthcare strategy. It also aims to make health insurance more accessible and affordable, which may help survivors relying on an abuser for economic support escape abusive relationships. Below are some of the ways that the ACA will affect survivors and provide funding to address domestic violence, sexual assault, and dating abuse.

### **The Requirement to Purchase Health Insurance and the Shared Responsibility Payment**

Survivors who have recently experienced domestic violence or those experiencing other types of financial hardships such as homelessness or the inability to pay medical or utility bills are able to apply for an exemption from the requirement to purchase health insurance or pay a fine. Those who are not going to file a federal income tax return because their income is below the filing threshold are not required to apply for an exemption and will not need to pay a fine. For more information on the health care exchange, visit:

[www.healthcare.gov](http://www.healthcare.gov). For more on the payment exemption visit:

<http://marketplace.cms.gov/getofficialresources/publications-and-articles/hardship-exemption.pdf>

### **Supports Routine Screening and Counseling of Domestic or Interpersonal Violence**

Starting on August 1, 2012, all new and non-grandfathered health plans must cover screening and counseling of domestic violence, and plans cannot require cost sharing or deductibles for these services. Screening for domestic violence is intended to be treated as standard early intervention, such as the way screening for obesity, smoking or alcohol abuse is. [1]

### **Prohibits Health Care and Insurance Providers from Discrimination and Exclusion Based on Pre-Existing Domestic Violence History [2]**

Beginning on January 1, 2014, the ACA will prohibit insurance companies, health care providers, and health programs that receive federal financial assistance from denying coverage to women based on many factors, including being a survivor of domestic or sexual violence. [3] Before this protection, seven states allowed insurers to deny health coverage to Domestic Violence survivors, and only 22 states had enacted adequate Domestic Violence insurance discrimination protections. [4]

### **Increased Focus on Domestic Violence in Maternal, Infant, and Early Childhood Home Visitation Programs [5]**

Nearly half of all women surveyed through current maternal and infant home visitation programs reported incidents of domestic violence, but few of these programs had developed specific ways to address the abuse and support victims [3]. To help prevent domestic violence, the ACA provides funding for maternal infant and

early childhood home visitation programs to address the needs of mothers and children who at risk of, or are experiencing abuse.

### Providing services for pregnant teens and reducing teen pregnancy

Because research indicates strong links between abusive relationships and teen pregnancy, the ACA created two programs aimed at reducing the risk of abuse and unintended pregnancy for teens.

- **Services for Pregnant and Parenting Teens** provides funds for programs providing intervention services (including 24 hotlines, shelter and counseling) in order to improve services to pregnant or recently pregnant victims of domestic violence, sexual violence, sexual assault, and stalking [6]
- The **Personal Responsibility Education Program (PREP)** provides each state mandatory funds for education programs intended to reduce pregnancy rates in youths between the ages of 10-19 years old. The educational programs were urged to include adult preparation skills such as healthy relationships. [7]

### Inclusion of Domestic Violence in National Prevention Strategy [8]

Overall, the Affordable Care Act attempts to move the health system from a disease treatment model to prevention and health promotion. The ACA created the National Prevention Council to provide coordination and leadership at the Federal level, with respect to prevention, wellness and health promotion, the public health system and integrative health care. [9]

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[1] SEC. 4001 [42 U.S.C. 300u-10]

[2] Section 2705 [42 U.S.C. 300gg-4]

[3] Futures without Violence, "How the Affordable Care Act Affects Victims of Domestic, Sexual, and Dating Violence" (June 2012).

[4] *Id.*

[5] SEC. 511 [42 U.S.C. 711]

[6] SEC. 10213 [42 U.S.C. 18203]

[7] *Supra* Note 2

[8] SEC. 4001 [42 U.S.C. 300u-10]

[9] *Id.*

New Hampshire Coalition Against Domestic and Sexual Violence is a statewide network of 14 independent member programs committed to ending sexual violence, domestic violence and stalking, through direct services to victims, community education, and public policy advocacy. The NHCADSV and its 14 member programs do not discriminate based on gender, age, health status (including HIV-positive), physical, mental, or emotional ability, sexual orientation, gender identity/expression, socio-economic status, race, national origin, immigration status, or religious or political affiliation. For more information, visit [www.nhcadsv.org](http://www.nhcadsv.org).

**New Hampshire Coalition Against Domestic and Sexual Violence – [www.nhcadsv.org](http://www.nhcadsv.org)**

**Statewide Domestic Violence Hotline: 1-866-644-3574 - Statewide Sexual Assault Hotline: 1-800-277-5570**

