

President Trump Introduces Health Insurance Requirement for Immigrant Visa Applicants

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According to a [proclamation](#) issued by President Donald Trump on October 4, 2019, the U.S. Department of State will begin issuing immigrant visas only to those foreign nationals who will have health insurance once admitted to the United States, or who can prove that they have the financial means to cover their own medical expenses.

Details about this new requirement are limited. The following is a summary of what we know so far:

When does the change go into effect?

The new requirement is scheduled to go into effect on November 3, 2019.

Who is affected?

The new health insurance requirement applies to foreign nationals who apply for an immigrant visa at a U.S. consulate. The requirement *does not* apply to, among others:

- foreign nationals with a valid immigrant visa issued before November 3, 2019;
- foreign nationals applying for adjustment of status in the United States;
- children of U.S. citizens;
- nonimmigrant visa applicants (H-1B, L-1, etc.); and
- asylum seekers or refugees.

What is changing?

Before a consular officer can adjudicate or issue an immigrant visa, the foreign national applicant

must establish that he or she “will be covered by approved health insurance” within 30 days of admission into the United States, or demonstrate that he or she has “financial resources” to pay for “reasonably foreseeable medical costs.”

Approved health insurance coverage includes (but is not limited to):

- employer-sponsored plans;
- unsubsidized health plans (subsidized plans under the Affordable Care Act do not qualify);
- Medicare;
- short-term, limited-duration health policies;
- visitor health insurance plans;
- catastrophic plans;
- family members’ plans; and
- other plans deemed adequate by the Secretary of Health and Human Services.

What does all this mean in practice?

According to the proclamation, the State Department may establish standards and procedures for determining who meets the health insurance requirement. Until that happens, it is unclear what proof of health insurance immigrant visa applicants will be required to produce or what kind of training consular officers will receive to guide their determinations.

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