

1. Title

Student Health Insurance Requirements for International Students

2. Policy

Sec. 1 Purpose

The purpose of this policy is to define the category of students who shall be defined as “international students” who are required to maintain both Health Insurance Coverage and Evacuation and Repatriation Coverage as a condition of enrollment; outline the health insurance requirements which shall be applicable to such International Students; and ensure that each UT System institution adopts policies and procedures for:

- Ensuring that during any semester or term in which an International Student is enrolled in the institution, the International Student:
 - is enrolled in The University of Texas System sponsored Student Insurance Plan (UT SHIP) at the institution; or
 - is enrolled in coverage that meets the Health Care Coverage and Evacuation/Repatriation Coverage requirements set forth in this policy, or
 - has a valid waiver granted by the institution exempting the International Student from compliance with the coverage requirements of this policy; and
- Providing clear information to International Students and prospective International Students about the coverage requirements of this policy calculated to assist these individuals in purchasing coverage that complies with the requirements of this policy, including an explanation that the most effective way to ensure compliance with these requirements is to enroll in The University of Texas System sponsored University of Texas Student Insurance Plan (UT SHIP).

Sec. 2 International Students Who Must Have Coverage that Meets the Health Care Coverage and Evacuation/Repatriation Coverage Requirements

- 2.1 For purposes of the Health Care Coverage and Evacuation/Repatriation Coverage requirements established by this policy, an International Student is an individual who is:

- (a) Enrolled at a UT System institution other than The University of Texas El Paso or The University of Texas Rio Grande Valley, entered into the Student and Exchange Visitor Information System (SEVIS); and present in the U.S. on a non-immigrant visa status of J1, J2, F1, or F2; or
- (b) Enrolled at The University of Texas at El Paso or The University of Texas Rio Grande Valley, and entered into SEVIS, and present in the U.S. on a non-immigrant status of J1 or J2; or
- (c) Enrolled at The University of Texas at El Paso or The University of Texas Rio Grande Valley, entered into SEVIS, present in the U.S. on a non-immigrant status of F1, F2, or F3, and not a citizen or permanent resident of Mexico;.

Sec. 3 Health Care Coverage and Evacuation/Repatriation Coverage Requirements for International Students

3.1 Health Care Coverage for International Students is coverage provided through a Patient Protection and the Affordable Care Act (PPACA) compliant individual or employer health plan that meets the minimum federal requirements for coverage for certain foreign exchange visitors set forth in 22 CFR 62.14 (b) and (c) and (d).

- (a) Such a plan must provide coverage that, at a minimum:
 - (1) Provides the Essential Minimum Benefits required by the PPACA with no annual limits;
 - (2) Contains no exclusions for pre-existing conditions;
 - (3) Covers 100% of Preventive Care as defined by the PPACA;
 - (4) Imposes a deductible that does not exceed \$500 per accident or illness;
 - (5) Imposes no provisions for co-insurance that exceed 25% of the covered benefits per accident or illness; and
 - (6) Is underwritten by an insurance carrier that meets the requirement of 22 CFR 62.14(d)(1) or offered or

underwritten by a federally qualified HMO or competitive Medical Plan as determined by the US Department of Health and Human Services.

- (b) Non-compliant Plans. Short Term Limited Duration Plans and so called “travel plans,” or other similar health plans created expressly for the purpose of providing coverage to international students and/or non-immigrant visa holders do not meet the requirements for Health Care Coverage described in Section 3.1(a) of this policy.
- 3.2. Evacuation/Repatriation Coverage for International Students is coverage that that pays for:
- (a) Repatriation expenses of a deceased individual in the amount of no less than \$25,000; and
 - (b) Expenses associated with any required medical evacuation of an individual to the individual’s home country payable in an amount of no less than \$50,000.
- 3.3 The University of Texas System sponsored University of Texas Student Insurance Plan (UT SHIP) provides coverage that meets the Health Care Coverage and Evacuation/Repatriation Coverage requirements of this policy.
- 3.4 Individual plans provided through the federal Health Insurance Marketplace (or “Exchange”) or a state Health Insurance Marketplace (or “Exchange”) provide coverage that meets the Health Care Coverage requirements of this policy.

Sec. 4 Enrollment in UT SHIP Plan as Default Requirement

- 4.1 Each institution shall adopt a process, which shall include a mechanism for automatic enrollment, designed to ensure that during each semester or term in which an International Student is enrolled as a student, the International Student is also enrolled as a participant in the Health Care Coverage and/or Evacuation/Repatriation Coverage offered through the UT SHIP Plan unless the institution has granted the International Student a waiver, pursuant to Section 5 of this Policy, that covers that semester or term.
- 4.2 Each International Student shall be assessed a Student Premium Fee sufficient to cover the cost of the UT SHIP

coverage in which the International Student is enrolled under this Section 4.

Sec. 5 Waivers

- 5.1. Grounds for Waivers. An institution shall grant a waiver to an International Student for any semester of enrollment in which the student has established that the student is:
- (a) Eligible for, and enrolled as, a participant in the UT System Employee Group Health Plan coverage;
 - (b) Able to establish that the student has coverage that is backed by the full faith and credit of the government of the exchange visitor's home country and is provided through a PPACA compliant plan;
 - (c) Sponsored by the US Government or another sponsoring entity that has guaranteed payment of all health expenses and repatriation and evacuation expenses in writing;
 - (d) Able to establish that he or she is enrolled in Health Care Coverage and/or Evacuation/Repatriation Coverage through another source that meets the requirements of Section 3.1(a) and/or Subsection 3.2, as applicable; or
 - (e) Enrolled exclusively in distance learning class at the institution.
- 5.2 Evacuation/Repatriation Coverage. An International Student granted a waiver under Subsections 5.1(a) or 5.1(d) that does not include the Evacuation/Repatriation Coverage requirements described in Subsection 3.2 shall be automatically enrolled in UT SHIP Evacuation/Repatriation Coverage as required by Section 4 of this policy.
- 5.3 Each institution shall adopt policies and processes for accepting applications from, and granting waivers to, International Students, as permitted by the policy.
- (a) The policies and procedures must provide clear advanced notice to International Students and prospective International Students about the requirements of this policy reasonably calculated to assist these individuals in purchasing coverage that complies with the requirements of this policy, including an

explanation that the most effective way to obtain such coverage is to enroll in the UT SHIP.

- (b) An institution may adopt policies and procedure for automatically determining if International Students qualify for a waiver under Subsections 5.1(a) and 5.1(e).
- (c) An institution may elect to enter into an agreement with the carrier that issues the UT SHIP to review waiver requests submitted by International Students to determine if the student qualifies for a waiver under Subsections 5.2(b), 5.2(c), or 5(d).

Sec. 6 International Students Enrolled at Institutions with a Medical or Dental Unit

An institutions that is required to develop policies and procedures to ensure that students enrolled in a Medical or Dental Units have required health care coverage as required by Regents Rule 50404, Section 2, may combine such policies and procedures with the institutional policies and procedures adopted pursuant to this Policy, provided that the institution ensures that all International Students enrolled at the institutions remain in compliance with the requirements of this Policy.

Sec. 7 Mid-Semester Loss of Coverage; Enforcement Requirements

- 7.1 An institution must require an International Student to promptly report any loss of Health Care Coverage and/or Evacuation/Repatriation required by this policy that occurs during the International Student's enrollment to the institutional office charged with compliance with SEVIS on behalf of the institution.
- 7.2 Institutions must provide that failure of an International Student to maintain coverage as required by the Policy is a violation of the institution's student code of conduct and grounds for disciplinary action.

3. Definitions

Essential Minimum Benefits: A comprehensive package of benefits and services that must be included in a PPACA compliant health care plan including:

- Ambulatory patient services
- Emergency services
- Hospitalization (such as surgery)

- Pregnancy, maternity, and newborn care (care for a mother and baby before and after the baby is born)
- Mental health and substance use disorder services, including behavioral health treatment including counseling and psychotherapy)
- Prescription drugs
- Rehabilitative and habilitative services and devices
- Laboratory services
- Preventive and wellness services and chronic disease management

Preventative Care Medical care that must be offered to participants in health coverage with no out of pocket costs to the plan enrollee including:

- Evidenced-based items or services that have in effect a rating of "A" or "B" in the current recommendations of the United States Preventive Services Task Force (USPSTF) with respect to the individual involved;
- Immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC) with respect to the individual involved;
- If the participant is an infant, child, or adolescent, evidence-informed preventive care and screenings provided for in the comprehensive guidelines supported by the Health Resources and Services Administration (HRSA); and
- If the participant is a women, evidence-informed preventive care and screening provided for in comprehensive guidelines supported by HRSA, to the extent not already included in certain recommendations of the USPSTF.

Short Term Limited Duration Plans Health insurance coverage provided pursuant to a contract with an issuer that has an expiration date specified in the contract (taking into account any extensions that may be elected by the policyholder without the issuer's consent) that is less than 12 months after the original effective date of the contract. Such plans include policies for foreign students studying for only one or two semesters in the U.S.

4. Relevant Federal and State Statutes, Policies, and Standards

[Patient Protection and Affordable Care Act, Public Law 111-148](#)

[22 CFR Part 62](#) – Exchange Visitor Program

45 CFR Parts [144](#) and [147](#) – Student Health Insurance Coverage

5. Relevant System Policies, Procedures, and Forms

[Regents' Rules and Regulations, Rule 50402: Student Health Insurance Requirements](#)

Please provide applicable forms

6. System Administration Office(s) Responsible for Policy

Office of Employee Benefits

7. Dates Approved or Amended

June 30, 2015