

## 米国医療保険制度改革法の在留邦人への適用について(全国健康保険協会によって運営されている医療保険について)

在留邦人の皆様へ

本年2月4日に当館ホームページにおいて「米国医療保険制度改革法の在留邦人への適用について」と題するお知らせを発出し、全国健康保険協会によって運営されている医療保険については、米国政府から、米国医療保険制度改革法の定める基準を満たした医療保険とみなされるためには、同法の定める必要な手続を経ることが必要との回答があり、今後の対応を検討中である旨をお知らせいたしました。

日本政府内で今後の対応を検討した結果、全国健康保険協会によって運営されている医療保険についても、米国医療保険制度改革法の定める基準を満たした医療保険とみなされるべく、必要な手続を開始することになりましたのでお知らせいたします。手続の結果については、米国政府から回答が得られ次第、当館ホームページ、メールマガジン等を通じてお知らせしてまいります。

なお、SRP 等、米国医療保険制度改革法の詳細については、米国関係省庁のホームページに関連情報が掲載されているところ、適宜ご参考いただければ幸いです。これらの情報について御不明な点があれば、それぞれの行政機関にお問い合わせ願います。

### 記

#### 1. 医療保険に加入していない場合の支払について(HealthCare.Gov ホームページ)

「The fee you pay if you don't have health coverage」

<https://www.healthcare.gov/fees-exemptions/fee-for-not-being-covered/>

#### 2. (1)医療保険制度改革法の個人の保険加入義務規定に関するQ&A(内国歳入庁ホームページ)

「Questions and Answers on the Individual Shared Responsibility Provision」

<http://www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision>

(外国人に対する適用関係:関係部分抜粋)

11. Are all individuals living in the United States subject to the individual shared

responsibility provision?

All U.S. citizens are subject to the individual shared responsibility provision as are all permanent residents and all foreign nationals who are in the United States long enough during a calendar year to qualify as resident aliens for tax purposes. Foreign nationals live in the United States for a short enough periods that they do not become resident aliens for federal income tax purposes are not subject to the individual shared responsibility payment even though they may have to file a U.S. income tax return. The IRS has more information available on when a foreign national becomes a resident alien for federal tax purposes.

**(2) “when a foreign national becomes a resident alien for federal tax purposes” の定義 (内国歳入庁ホームページ)**

<http://www.irs.gov/taxtopics/tc851.html>

**3. 医療保険制度改革法の定める水準を満たす医療保険について(メディケア・メディケイドセンターのホームページ)**

「Minimum Essential Coverage Guidance」

<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/mec-guidance-10-31-2013.pdf>

**(米国外の医療保険と医療保険制度改革法の定める水準 (Minimum Essential Coverage) との関係: 関係部分抜粋)**

***Clarification of minimum essential coverage rules with respect to foreign insurance and partnerships***

The regulation implementing Internal Revenue Code (Code) section 5000A(f)(1)(B) provides that a self-insured group health plan is generally minimum essential coverage, without regard to where the plan is located. Pursuant to HHS's authority under Code section 5000A(f)(1)(E), coverage under a group health plan provided through insurance regulated by a foreign government will be recognized as minimum essential coverage for a month with respect to an individual who, for such month, is physically absent from the United States for at least one day of the month. Coverage under a group health plan provided through insurance regulated by a foreign government will also be recognized as minimum essential coverage with respect to an individual who is physically present in the United States for an entire month if the

coverage provides health benefits within the United States while the individual is on expatriate status. Sponsors of these plans intending to qualify as minimum essential coverage must provide a notice as described in section VIII below to their enrollees who are citizens or nationals of the United States and also comply with the reporting requirements of section 6055 of the Internal Revenue Code with respect to those enrollees.

#### **4. SRPについて(内国歳入庁ホームページ)**

「The Individual Shared Responsibility Payment–An Overview」

<http://www.irs.gov/Affordable-Care-Act/The-Individual-Shared-Responsibility-Payment-An-Overview>

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