

米国医療制度改革法の在留邦人への適用に関するアップデート

在留邦人の皆様へ

昨年12月27日に当館ホームページにおいて「米国医療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させていただきました。その後、在米日本大使館から日本の公的医療保険が医療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のかという点を中心に、米国政府に繰り返し照会してまいりましたが、これまでのところ、明確かつ十分な説明を得られておりません。本件については、引き続き米国政府から明確で十分な説明を得られるよう、鋭意努力をし、結果・状況につき、当館ホームページを通じて随時お知らせしてまいります。

なお、米国関係省庁のホームページに関連情報が掲載されておりますので、適宜御参照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いただけますようお願いいたします。

記

1. 2014年に医療保険に加入していない場合について（HealthCare.Gov ホームページ）

「What if someone does not have health coverage in 2014?」

<https://www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014/>

2. (1) 医療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 who 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. 罰金税について（内国歳入庁ホームページ）

「The Individual Shared Responsibility Payment-An Overview」

<http://www.irs.gov/uac/Newsroom/The-Individual-Shared-Responsibility-Payment-An-Overview>