

What Obamacare Means for Canadians Looking to Move to the U.S.

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As Canadians, we tend to take for granted the benefits we are entitled to when living in a country with universal healthcare. However, provincial healthcare is only available to Canadian residents who spend the requisite amount of time in their home province every year. Historically, when it came time for some Canadians to leave Canada, many were realizing that it was far from easy to get insured in the U.S., especially with a pre-existing condition or because of age. This obstacle alone could sometimes be a showstopper for those people who found themselves to be uninsurable.

The U.S. healthcare system is designed for those over age 65 to be covered through the U.S. Medicare program (“Medicare”). The problem with this for Canadians over 65 is that in order to be eligible to Medicare, one must either have had a green card for at least five years, be a U.S. citizen or be married to a U.S. citizen who has accumulated 40 quarters of social security. This means that in the past, people over 65 getting a green card and moving to the U.S. had to wait at least five years to be eligible to Medicare. If that person wanted to fill that five year insurance gap by getting private insurance for this period of time, it was nearly impossible to get coverage because private insurance companies were allowed to deny coverage to people of a certain age or having a pre-existing condition.

Thankfully, the *Patient Protection and Affordable Care Act* (“Obamacare”), which was adopted in 2010, brings along major healthcare reform in the U.S.. As of January 2014, the people who used to be uninsurable for reasons of pre-existing condition or because they were over age 65 will now benefit from rules granting them access to private healthcare coverage.

Under Obamacare, nobody who is “lawfully present in the United States” can be denied health insurance because of a pre-existing condition or because he or she is over the age of 65. It is important to note that the concept of “lawfully present” person includes namely permanent residents (green card holders), lawful temporary residents and people holding a worker or student visa.

Therefore, for Canadians over 65 who are new green card holders and who are moving to the U.S., it will now be possible to get private insurance for the five year period before being eligible to U.S. Medicare. In addition, those who are over 65 and have a valid non-immigrant visa should also be

insurable indefinitely.

Of course, this information and the process to get healthcare under Obamacare are very new and sometimes confusing. As cross border professionals, we help our clients through the whole process to make sure that they leave Canada protected and insured.

Although Obamacare is great news for many of us and makes our plans to emigrate much more realistic and achievable, it is but one of the elements to consider when moving to the U.S. Before leaving, it is important to make sure you have a holistic plan that will take into consideration all the other crucial elements inherent to moving to the U.S such as tax and immigration issues. To minimize tax and avoid costly mistakes, we suggest you begin planning well in advance.

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