However, in order to rely on a Marketplace's determination that you or a family member were ineligible for Medicaid, CHIP, or a similar program, you must provide accurate information to the Marketplace when you enroll in a qualified health plan. You or the family member may be treated as eligible for Medicaid, CHIP, or the similar program, and not eligible for the PTC, if the Marketplace determination is later found to be based on incorrect information that was given with an intentional or reckless disregard for the facts. See Pub. 974 for more information.

For more information about eligibility for Medicaid, CHIP, and other forms of government-sponsored MEC, see Pub. 974.

Example. Married taxpayers Tom and Nicole applied for insurance affordability programs at the Marketplace for themselves and their two children whom they claim as dependents, Kim and Chris. The Marketplace determined that Kim and Chris were eligible for coverage under CHIP. Instead of enrolling Kim and Chris in CHIP, the entire tax family enrolled in a qualified health plan (with APTC paid only for Tom and Nicole's coverage). Because Kim and Chris were eligible for CHIP, which is MEC, Tom and Nicole are not eligible for the PTC for coverage of Kim and Chris, but may be eligible for the PTC for their own coverage.

Coverage in the individual market outside the Marketplace. While coverage purchased in the individual market outside the Marketplace is MEC, eligibility for this type of coverage does not prevent you from being eligible for the PTC for Marketplace coverage. Coverage purchased in the individual market outside the Marketplace does not qualify for the PTC.

For more details on eligibility for MEC, including additional special eligibility rules, see *Minimum Essential Coverage* in Pub. 974. You can also check *IRS.gov/Affordable-Care-Act/Individuals-and-Familes/Individual-Shared-Responsibilty-Provision* for future updates about types of coverage that are recognized as MEC.

Applicable taxpayer. You must be an applicable taxpayer to take the PTC. Generally, you are an applicable taxpayer if your household income for 2020 (described earlier) is at least 100% but not more than 400% of the federal poverty line for your family size (provided in Tables 1-1, 1-2, and 1-3) and no one can claim you as a dependent for 2020. In addition, if you were married at the end of 2020, you must file a joint return to be an applicable taxpayer unless you meet one of the exceptions described under *Married taxpayers*, later.

For individuals with household income below 100% of the federal poverty line, see *Household income below 100% of the federal poverty line* under line 6, later.

Individuals who are incarcerated. Individuals who are incarcerated (other than pending disposition of charges, for example, awaiting trial) are not eligible for coverage in a qualified health plan through a Marketplace. However, these individuals may be applicable taxpayers and take the PTC for the coverage of individuals in their tax families who are eligible for coverage in a qualified health plan.

Individuals who are not lawfully present. Individuals who are not lawfully present in the United States are not eligible for coverage in a qualified health plan through a Marketplace. They cannot take the PTC for their own coverage and are not eligible for the repayment limitations in Table 5 for APTC paid for their own coverage. However, these individuals may be applicable taxpayers and take the PTC for the coverage of individuals in their tax families, such as their children, who are lawfully present and eligible for coverage in a qualified health plan. For more information about who is treated as lawfully present for this purpose, visit *HealthCare.gov*. See *Individuals Not Lawfully Present in the United States Enrolled in a Qualified Health Plan* in Pub. 974 for more information on reconciling APTC when an unlawfully present person is enrolled individually or with lawfully present family members.

Married taxpayers. If you are considered married for federal income tax purposes, you must file a joint return with your spouse to take the PTC unless one of the two exceptions below applies to you.

You are not considered married for federal income tax purposes if you are divorced or legally separated according to your state law under a decree of divorce or separate maintenance. In that case, you cannot file a joint return but may be able to take the PTC on your separate return. See Pub. 501, Dependents, Standard Deduction, and Filing Information.

If you are considered married for federal income tax purposes, you may be eligible to take the PTC without filing a joint return if one of the two exceptions below applies to you. If *Exception 1* applies, you can file a return using head of household or single filing status and take the PTC. If *Exception 2* applies, you are treated as married but can take the PTC with the filing status of married filing separately.

Exception 1—Certain married persons living apart. You may file your return as if you are unmarried and take the PTC if one of the following applies to you.

- You file a separate return from your spouse on Form 1040 or 1040-SR because you meet the requirements for *Married persons who live apart* under *Head of Household* in the Instructions for Forms 1040 and 1040-SR.
- You file as single on your Form 1040-NR because you meet the requirements for *Married persons who live apart* under *Were You Single or Married?* in the Instructions for Form 1040-NR.

Exception 2—Victim of domestic abuse or spousal abandonment. If you are a victim of domestic abuse or spousal abandonment, you can file a return as married filing separately and take the PTC for 2020 if all of the following apply to you.

- You are living apart from your spouse at the time you file your 2020 tax return.
- You are unable to file a joint return because you are a victim of domestic abuse (described next) or spousal abandonment (described below).
- You check the box on your Form 8962 to certify that you are a victim of domestic abuse or spousal abandonment.
- You do not meet the 3-year limit for Exception 2, described below.

Domestic abuse. Domestic abuse includes physical, psychological, sexual, or emotional abuse, including efforts to control, isolate, humiliate, and intimidate, or to undermine the victim's ability to reason independently. All the facts and circumstances are considered in determining whether an individual is abused, including the effects of alcohol or drug abuse by the victim's spouse. Depending on the facts and circumstances, abuse of an individual's child or other family member living in the household may constitute abuse of the individual.

Spousal abandonment. A taxpayer is a victim of spousal abandonment for a tax year if, taking into account all facts and circumstances, the taxpayer is unable to locate his or her spouse after reasonable diligence.

Three-year limit for Exception 2. You cannot claim the PTC using this exception for more than 3 consecutive years. For example, if you used this exception to claim the PTC on your tax returns for 2017, 2018, and 2019, you cannot use this exception to claim the PTC on your 2020 return.

Married filing separately. If you file as married filing separately and are not a victim of domestic abuse or spousal abandonment (see *Exception 2—Victim of domestic abuse or spousal abandonment* under *Married taxpayers* above), then you are not an applicable taxpayer and you cannot take the PTC. You must generally repay all of the APTC paid for a qualified health plan that covered only individuals in your tax family. If the policy also covered at least one individual in your spouse's tax family, you must generally repay half of the APTC paid for the policy. See the instructions for *Line 9*, later. However, the amount of APTC you have to repay may be limited. See the instructions for *Line 28*, later.

Specific Instructions

Name. Print or type your name exactly as you entered it on your tax return. If you are married and filing a joint return, enter the name that appears first on your return.

Social security number. The social security number on this form should match the social security number on your tax return. If you are married and filing a joint return, enter the first social security number that appears on your tax return.

If you entered an ITIN on your tax return, enter this number on Form 8962.

Victims of domestic abuse or spousal abandonment. Check the box on the line above Part I of Form 8962 if you are filing as married filing separately, are a victim of domestic abuse or spousal abandonment, and qualify for *Exception 2—Victim of domestic abuse or spousal abandonment* under *Married taxpayers*, earlier. By checking this box, you are certifying that you qualify for an exception to the requirement to file a joint return with your spouse. Do not attach documentation of the abuse or abandonment to your tax return. Keep any documentation you may have with your tax return records. For examples of what documentation to keep, see Pub. 974.

Married filing separately. If APTC was paid for your coverage but you cannot take the PTC because you are married filing a separate return and you do not qualify for an exception to the joint filing requirement, complete lines 1 through 5 to figure your separate household income as a percentage of the federal poverty line. Skip lines 6 through 8b and complete lines 9 and 10 (and Part IV, if applicable). When completing line 11 or lines 12 through 23, complete only column (f). Then complete the rest of the form to determine how much you must repay.

Part I—Annual and Monthly Contribution Amount

Line 1

Enter on line 1 your tax family size.

Determine the number of individuals in your tax family using your tax return. Your tax family generally includes you, your spouse if you are filing a joint return, and your dependents. If you checked the "Someone can claim you as a dependent" box, or if you are filing jointly and you checked the "Someone can claim your spouse as a dependent" box on your tax return, you or your spouse are not included in the tax family size calculation for purposes of Form 8962, line 1.

Note. If an individual in your tax family was enrolled in a policy with an individual in another tax family and you are not taking the PTC, the taxpayer who is claiming the individual not in your tax family may agree to reconcile all APTC paid for the policy. See the instructions for line 9 and Part IV, later, for more information about this rule. If you and the other taxpayer agree that he or she will reconcile all APTC paid and you are not taking the PTC, enter -0- on line 1. Then check the "**Yes**" box on line 9 and follow the instructions for *Line 9* and *Part IV*. (Specifically, in the instructions for Part IV, see *Policy amounts allocated 100%* in either *Allocation Situation 1. Taxpayers divorced or legally separated in 2020* or *Allocation Situation 4. Other situations where a policy is shared between two tax families*.)

Line 2a

Enter your modified AGI on line 2a. Use the worksheet next to figure your modified AGI using information from your tax return.

Worksheet 1-1. **Taxpayer's Modified AGI—Line 2a**

1. Enter your adjusted gross income (AGI)* from Form 1040, 1040-SR, or 1040-NR, line 11	**1.** ______
2. Enter any tax-exempt interest from Form 1040, 1040-SR, or 1040-NR, line 2a	**2.** ______
3. Enter any amounts from Form 2555, lines 45 and 50	**3.** ______
4. Form 1040 or 1040-SR filers: If line 6a is more than line 6b, subtract line 6b from line 6a and enter the result	**4.** ______
5. Add lines 1 through 4. Enter here and on Form 8962, line 2a	**5.** ______

**If you are filing Form 8814 and the amount on Form 8814, line 4, is more than $1,100, you must enter certain amounts from that form on Worksheet 1-2. See* Form 8814 *under* Line 2b *below.*

Line 2b

Enter on line 2b the combined modified AGI for your dependents who are required to file an income tax return because their income meets the income tax return filing threshold. Use Worksheet 1-2 to figure these dependents' combined modified AGI. Do not include the modified AGI of dependents who are filing a tax return only to claim a refund of tax withheld or estimated tax.

Form 8814. If you are filing Form 8814, Parents' Election To Report Child's Interest and Dividends, and the amount on Form 8814, line 4, is more than $1,100, you must include on line 1 of Worksheet 1-2 the sum of the tax-exempt interest from Form 8814, line 1b; the lesser of Form 8814, line 4 or line 5; and any nontaxable social security benefits your child received.

Worksheet 1-2. **Dependents' Combined Modified AGI—Line 2b**

1. Enter the AGI* for your dependents from Form 1040, 1040-SR, or 1040-NR, line 11	**1.** ______
2. Enter any tax-exempt interest for your dependents from Form 1040, 1040-SR, or 1040-NR, line 2a . .	**2.** ______
3. Enter any amounts for your dependents from Form 2555, lines 45 and 50	**3.** ______
4. For each dependent filing Form 1040 or 1040-SR: If line 6a is more than line 6b, subtract line 6b from line 6a and enter the result	**4.** ______
5. Add lines 1 through 4. Enter here and on Form 8962, line 2b	**5.** ______

**Only include your dependents who are required to file an income tax return because their income meets the income tax return filing threshold.*

Line 3

Add the amounts on lines 2a and 2b. Combine them even if one or both of them are negative. If the total is less than zero, enter -0- on line 3.

Line 4

Check the box to indicate your state of residence in 2020. Enter on line 4 the amount from Table 1-1, 1-2, or 1-3 that represents the federal poverty line for your state of residence for the family size you entered on line 1 of Form 8962. (For 2020, the 2019 federal poverty lines are used for this purpose and are shown below.) If you moved during 2020 and you lived in Alaska and/or