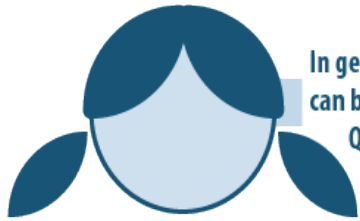


## Determining Tax Dependents

### Who Can Be Claimed as a Tax Dependent in 2023?

#### Children

A child can include the tax filer's child, step child, adopted child, foster child, brother, sister, niece, nephew or grandchild



In general a child can be claimed as a Qualifying Child if they...



Are a U.S. citizen or resident (for tax purposes) of the U.S., Canada or Mexico



Live with the tax filer for more than half the year



Are under 19 at the end of the year (or 24 if a full-time student or any age if disabled)



Don't provide more than half of their own support

#### Other individuals

Other individuals can include a relative or a full-time member of the tax filer's household who is not a relative



In general a person can be claimed as a Qualifying Relative if they...



Cannot be claimed as a Qualifying Child by anyone



Are a U.S. citizen, national or resident (for tax purposes), or a resident of Canada or Mexico



Receive more than 50% of their support from the tax filer



Are related to the tax filer or live in the tax filer's home all year



Gross income less than \$4,700 in 2023

**Resident:** Considered a [resident for tax purposes](#) if either:

- A lawful permanent resident (green card holder), OR
- Pass the substantial presence test for the calendar year (physically present in the U.S. for at least 31 days during the current year).

**Live with:** There are exceptions for temporary absences (due to illness, education, business, vacation, military service, or detention in a juvenile facility), children who were born or died during the year, kidnapped children, and children of divorced or separated parents.

**Full-time student:** To qualify as a full-time student, must attend school full-time during some part of at least 5 months of the year (and months do not have to be consecutive).

**Person with a disability:** Considered permanently and totally disabled if both of the following apply:

- Can't engage in any substantial gainful activity because of a physical or mental condition.
- A doctor determines the condition has lasted or can be expected to last continuously for at least a year or can lead to death.

**Support: Qualifying Child:** To meet this test, the child can't have provided more than half of their own support for the year.

**Support: Qualifying Relative:** To meet this test, taxpayer generally must provide more than half of a person's total support during the calendar year.

**Member of a household OR related:** Must either:

- Live with taxpayer all year (doesn't need to be a relative), OR
- Be related to the taxpayer (doesn't need to live with taxpayer)  
→ IRS definition of a relative does not include cousins

**Gross income:** All income in the form of money, property, and services that isn't exempt from tax.



## Tax Filing Statuses and Eligibility for the Premium Tax Credit

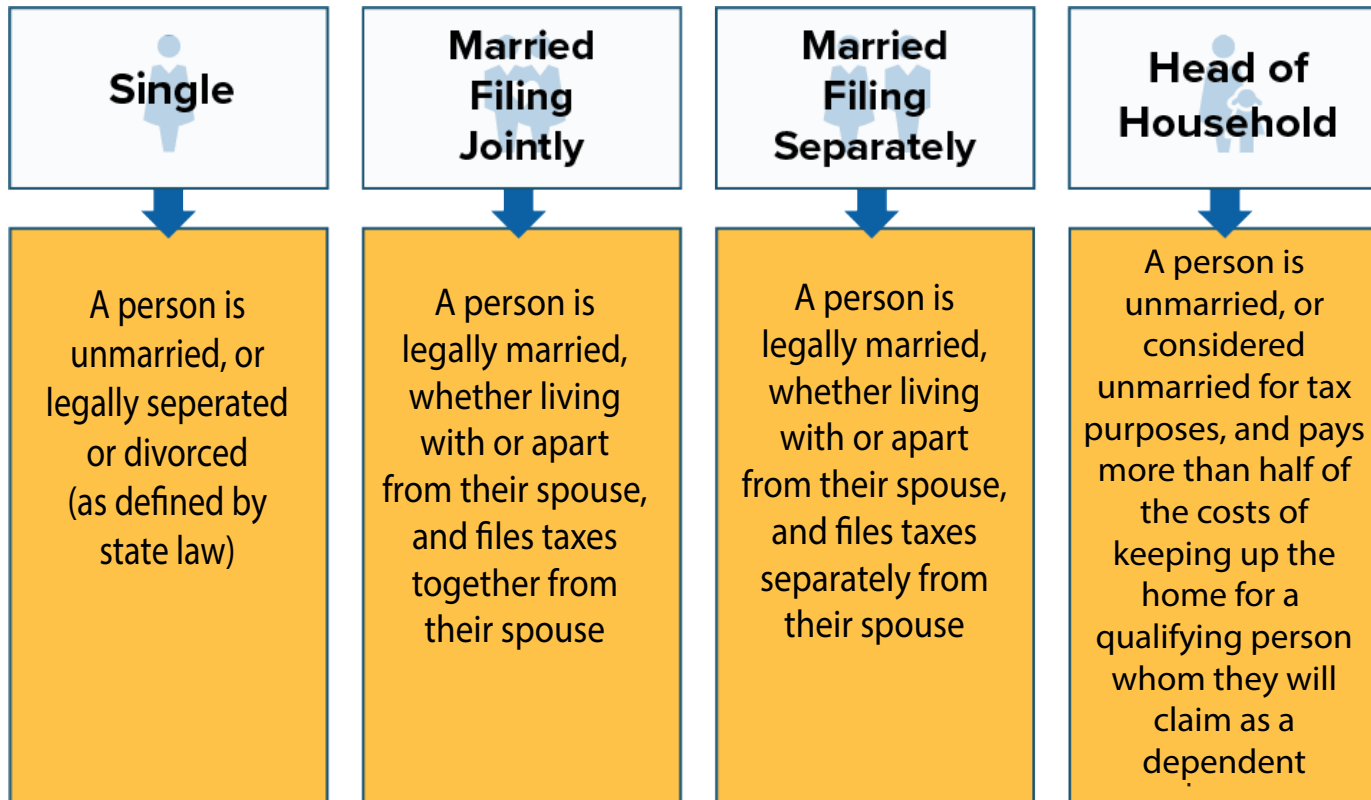
### *Eligibility for the Premium Tax Credit Depends on a Taxpayer's Filing Status*

#### Eligible for the PTC if filing as:

- Single
- Married Filing Jointly
- Head of Household

#### Not eligible for the PTC if filing as:

- Married Filing Separately



**NOTE:** There is an additional tax filing status of Qualifying Widow(er) with a Dependent Child that works similarly to Married Filing Jointly in terms of tax implications. A Qualifying Widow(er) with a Dependent Child is a person whose spouse passed away in the two previous tax years, has a child or step-child who meets the definition of a Qualifying Child, and pays more than half the cost of keeping up the home for that child.



## Rules to File as Head of Household

**Definition of Head of Household:** A person can use the Head of Household filing status if they are unmarried or considered unmarried for tax purposes and pays more than half the cost of keeping up the home for a qualifying person whom they can claim as a tax dependent. HealthCare.gov will walk through a series of questions to help determine whether a married person can file as Head of Household. If the Head of Household question is not asked, but the person meets the test below, you may say they are unmarried.

### When can a married person file as Head of Household?

A married person is considered unmarried and is eligible to file as Head of Household if they can answer to YES to each of the following questions:

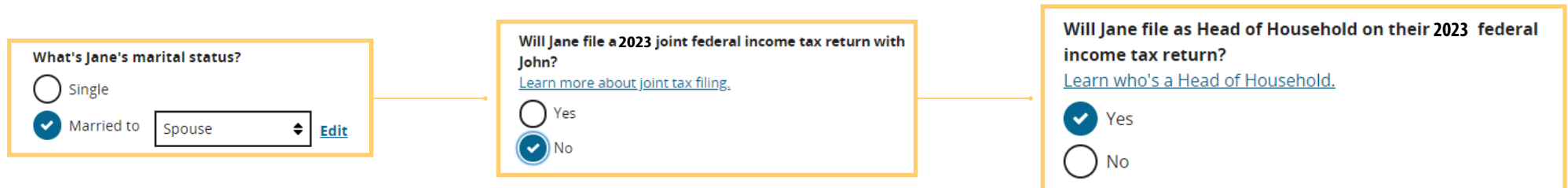
- ☐ Will you file taxes separately from your spouse?
- ☐ Will you live apart from your spouse from July 1 to Dec 31?
- ☐ Will you pay more than half of the cost of keeping up your home?
- ☐ Is yours the main home of your child, stepchild, or foster child (of any age) for more than half the year?
- ☐ Are you eligible to claim the child as a dependent? (NOTE: You meet this test if you are eligible to claim the child but the child is instead claimed by a noncustodial parent.)

If all the answers are Yes, the applicant is considered unmarried and can file as Head of Household.

If the answer to any of these questions is No, the applicant cannot file as Head of Household.

*Note: A special rule allows the resident spouse of a nonresident (as defined for tax purposes) to qualify as considered unmarried if they have a qualifying person and meet the other tests.*

*Note: For someone who is married and wants to be considered unmarried, the list of who can be a qualifying person is limited to the person's child, stepchild, or foster child (of any age). For someone who is actually single, the list of qualifying persons is longer.*



## When Can a Married Person Claim to Be Unmarried?

In general, to be eligible for the premium tax credit, a person who is married must file jointly with their spouse. However, there are exceptions to this joint filing requirement:

- 1) Married people who are victims of domestic violence or abuse; and
- 2) Abandoned spouses.

If a married person is the victim of domestic violence or an abandoned spouse, they can indicate that they are not married on their application.

