



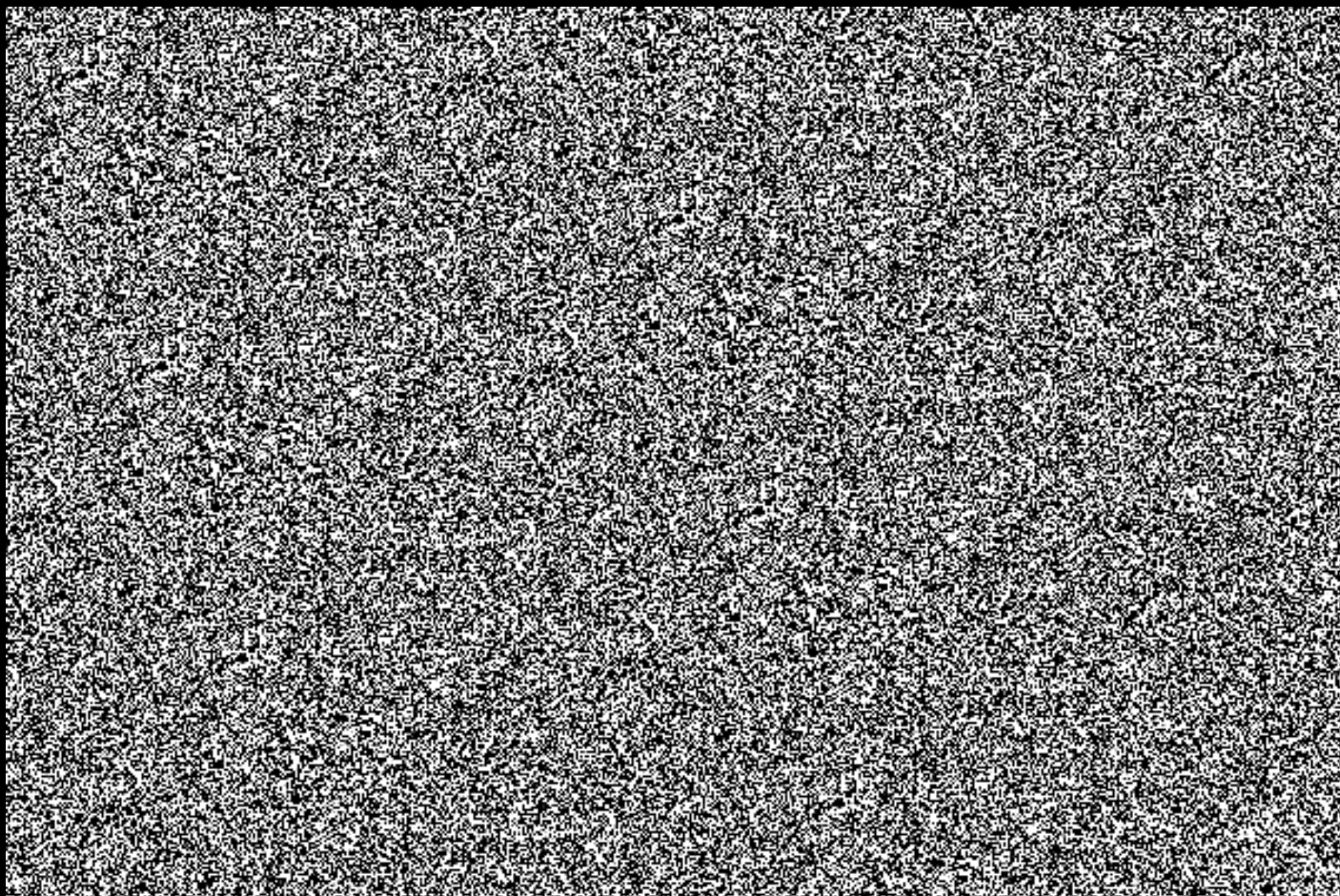
HealthFlex Summit—October 2019



Wespath

BENEFITS | INVESTMENTS

HealthFlex Legal Update



2019 Federal Law Changes

PUFF

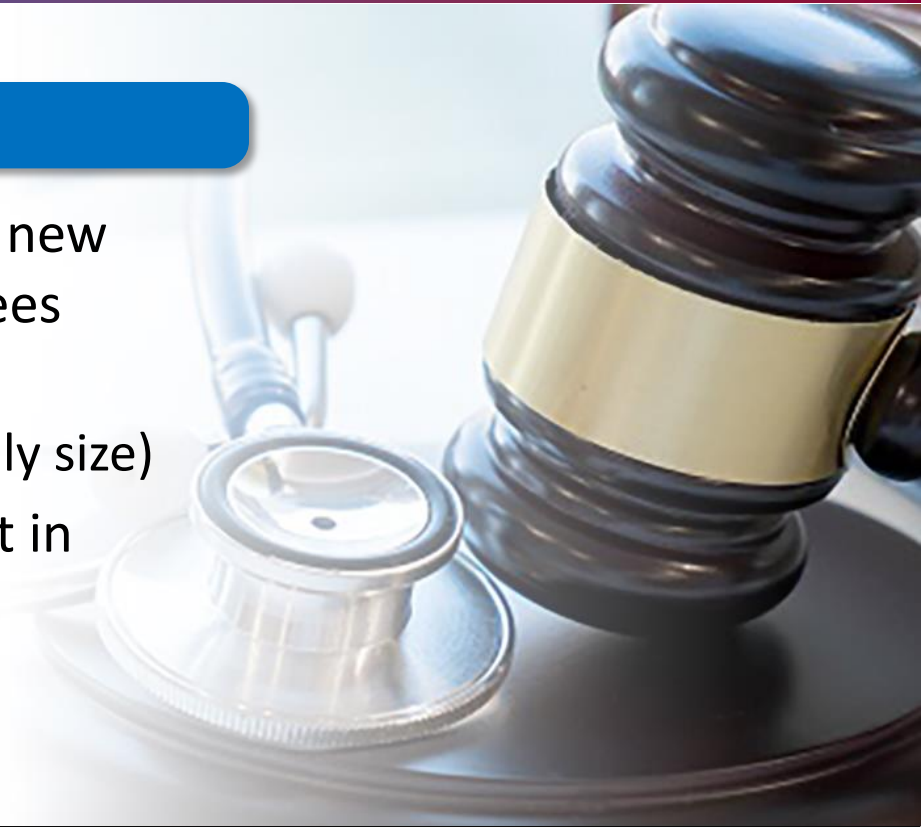
2019 Federal Regulatory Changes

- Final Rule (June 2019) for Individual Coverage HRAs (ICHRAs)—does not affect HealthFlex plan sponsors
- Might be an option for conferences that ended sponsorship of a health plan
- Effective January 1, 2020
- Idea: Allow an HRA to pay for individual health coverage
- Some technical requirements

New HRA Rule

Technical Requirements

- Cannot offer group health plan and new ICHRA to the same class of employees (full-time, part-time, etc.)
- Same terms (except for age and family size)
- Employee must attest to enrollment in individual coverage
- Employee has opt-out rights
- Notice to employees required



EEOC Action



IRS Notices Re: ALEs

IRS sent notices for 2017 ACA Reporting Period

TO:

Applicable Large Employers (ALEs)
that filed Forms 1094-C and 1095-C
past the due date



Bills Introduced in Congress

Health Savings Account Expansion Act	(H.R. 603)
Strengthening Health Care and Lowering Prescription Drug Costs	(H.R. 987)
Protecting Americans With Preexisting Conditions Act	(H.R. 986)
Bill to repeal Cadillac Tax	(H.R. 748)
PATIENT Act	(H.R. 3439)
STOP Surprise Medical Bills Act	(S. 1531)



Bills Introduced in Congress

June 2019:
Senators Alexander and Murray introduce:
“Lower Health Care Costs Act” (S. 1895)

Title I:	Ending Surprise Medical Bills
Title II:	Reducing Prices of Prescription Drugs
Title III:	Improving Transparency
Title IV:	Improving Public Health
Title V:	Improving Exchange of Health Information <ul style="list-style-type: none">• Request for input



Details of S. 1895

Group health plan shall:

- Provide an estimate of the amount the participant would owe for a specific service (Section 309)
- Make available claims and payment information for each participant for the past 5 years in a format that is “easy to understand” (Section 501)



Efforts to Wound the ACA

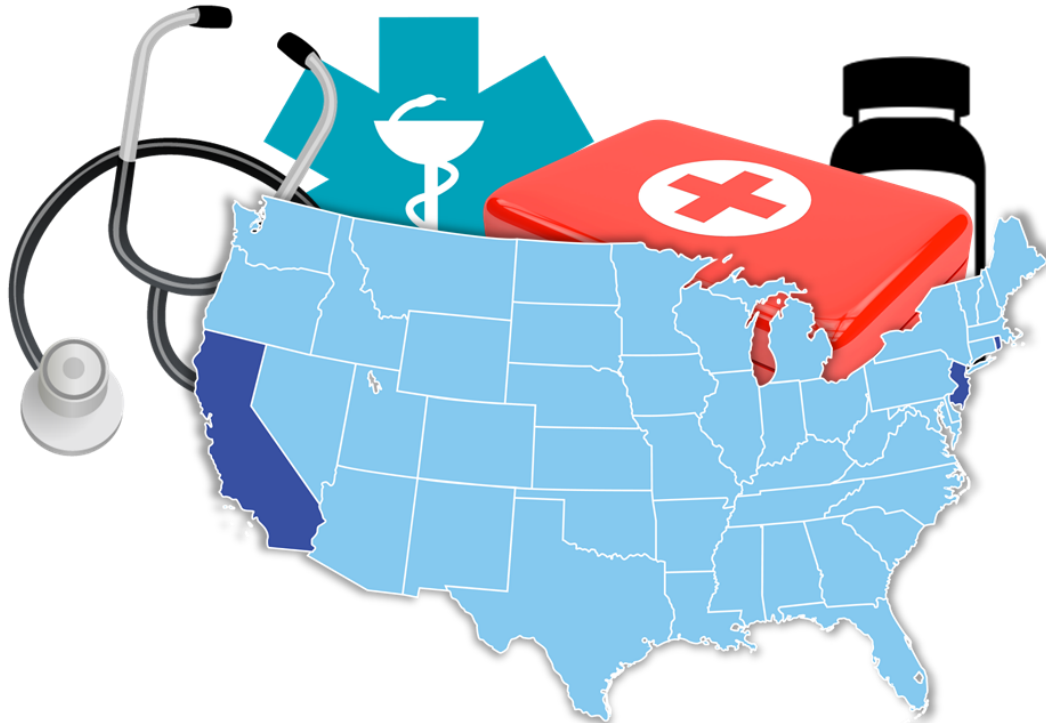
**Court case pending re:
ACA constitutionality**

Regulatory actions

- Short-term insurance rule
- Association health plan rule



Efforts to Support ACA



States adopting individual mandate penalties, after Congress reduced federal penalty to \$0

- California
- New Jersey
- Rhode Island

Affordable Care Act



YES

NO



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