



## Keeping up with Health Care Reform

# Selected Health Care Reform Provisions

A list of provisions ordered by the Affordable Care Act (ACA) and the health plans that must comply

### Selected Health Care Reform Provisions

The following table provides a thumbnail description of selected Health Care Reform provisions mandated through the Affordable Care Act (ACA). The year that the provision was or will be effective is listed as well as what health plans must comply.

<i>Provision</i>	<i>Year Effective</i>	<i>Medical Plan</i>	<i>Dental/Vision Plan</i>	<i>Health Reimbursement Arrangement (HRA)</i>	<i>Health Care FSA</i>
<b>Prohibition on Coverage Rescissions</b>	2010	Yes	No, if stand-alone benefit excepted from HIPAA's portability provisions	Yes, unless benefit excepted from HIPAA's portability provisions	Yes, unless excepted benefit <sup>1</sup>
<b>Elimination of Lifetime Limits on Coverage</b>	2010	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup>	Not Applicable
<b>Elimination of Annual Limits on Coverage</b>	2010 (phased in through 2013), fully effective 2014	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup> or integrated with medical plan	No, if FSA is an excepted benefit <sup>1</sup>
<b>Preventive Services Mandate</b>	2010	Yes, unless grandfathered <sup>2</sup> plan	No, if stand-alone benefit excepted from HIPAA's portability provisions	Yes, unless benefit excepted from HIPAA's portability Provisions <sup>1</sup>	No, if FSA is an excepted benefit <sup>1</sup>
<b>Tax Free Coverage for Children to Age 26</b>	2010	Yes	Yes	Yes	Yes

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<b>Mandate to Cover Children to Age 26</b>	2010	Yes (Grandfathered <sup>2</sup> plans excused from covering child covered through own employment until 2014)	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup>	Yes
<b>Insured Health Plan Nondiscrimination Testing</b>	2010 – (postponed pending IRS guidance)	Yes, unless plan is Grandfathered <sup>2</sup>	No, if stand-alone excepted benefit <sup>1</sup>	No, already subject to self-insured plan testing	No, already subject to self-insured plan testing
<b>No Over-the Counter (OTC) Medications without Prescription</b>	2011	Yes	Yes	Yes	Yes
<b>Medical Loss Ratio (MLR) Mandate</b>	2011	Yes	No, if stand-alone excepted benefit <sup>1</sup>	No	No
<b>W-2 Reporting of Total Cost of Health Coverage</b>	2011	Yes	No, if stand-alone excepted benefit <sup>1</sup>	No	Only the portion of any employer contribution to the Health Care FSA that exceeds the participant's total pre-tax election for all benefits
<b>Summary of Benefits and Coverage (SBC)</b>	2012	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup>	No, unless FSA is a non-excepted benefit
<b>External Review of Appealed Claims Denials</b>	2012	Yes, unless plan is Grandfathered <sup>2</sup>	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup>	No, unless FSA is a non-excepted benefit
<b>\$2,500 Cap on Health Care FSA Pre-Tax Contribution</b>	2013	No	No	No	Yes, as plan renews in 2013
<b>Patient-Centered Outcomes Research (PCOR) Fee</b>	2013	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless stand-alone dental or vision benefit	No, unless FSA is a non-excepted benefit
<b>Individual Shared Responsibility</b>	2014	Yes	No	No	No
<b>Cost-Sharing Limits</b>	2014	Yes, unless plan is Grandfathered <sup>2</sup>	No, if stand-alone excepted benefit <sup>1</sup>	No, if stand-alone excepted benefit <sup>1</sup>	Not Applicable
<b>Maximum Deductible Limit</b>	2014 (rescinded)	Not Applicable	Not Applicable	Not Applicable	Not Applicable
<b>Essential Health Benefits</b>	2014	Yes, for individual or small employer plan, unless plan is Grandfathered <sup>2</sup>	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless coverage is stand-alone dental or vision or for those entitled to Medicare <sup>3</sup>	No, unless FSA is a non-excepted benefit
<b>Minimum Value of Coverage</b>	2014	Yes, unless grandfathered <sup>2</sup>	Not Applicable	Not Applicable	Not Applicable

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<b>Actuarial Value of Coverage</b>	2014	Yes, all plans. Individual or small employer plan, unless Grandfathered, <sup>2</sup> must meet 1 of 4 "metal" values	No, if stand-alone excepted benefit <sup>1</sup>	Not Applicable, but value of new HRA funding can be used in actuarial value calculation	Not Applicable
<b>Qualified Health Plans (QHP)</b>	2014	For individual or small employer group plans	Not Applicable	Not Applicable	Not Applicable
<b>Exchanges</b>	2014	For individual or small employer group plans	Not Applicable	Not Applicable	Not Applicable
<b>Health Insurance Marketplace Notices</b>	Fall 2013 and subsequent years	Yes	Yes	Yes	Yes
<b>Permitted Election Change for Non-Calendar Year Cafeteria Plans</b>	2013, For large employers with off calendar year cafeteria plans	Yes	Not Applicable	Not Applicable	Not Applicable
<b>Maximum 90-day Waiting Period</b>	2014	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Yes, unless excepted benefit <sup>1</sup>	No, unless FSA is a non-excepted benefit
<b>Automatic Enrollment</b>	2014 (rescinded through final guidance)	Yes, for employers with more than 200 full-time employees	Not Applicable	Not Applicable	Not Applicable
<b>Transitional Reinsurance Program Fee</b>	2014	Yes	No, if stand-alone excepted benefit <sup>1</sup>	Not Applicable	Not Applicable
<b>Play-or-Pay Penalty</b>	2014 - postponed until 2015 (2016 for medium employer)	For large employer plans (100 or more employees) and medium employer (50-99 employees)	Not Applicable	Not Applicable	Not Applicable
<b>Tax on Excess Cost of Health Coverage</b>	2018 - (postponed until 2020)	Yes, included in total cost calculation	Yes, included in total cost calculation	Yes, included in total cost calculation	Yes, included in total cost calculation

<sup>1</sup> Refers to a plan excepted from HIPAA's portability provisions

<sup>2</sup> Plan is grandfathered if it was already in effect and has not significantly changed in coverage or premium share since March 23, 2010

<sup>3</sup> Entitled to Medicare means enrolled in any Part of Medicare

<sup>4</sup> Integrated HRA means the participant receives the HRA coverage because the participant is enrolled in the employer's group medical plan