



# Benefits WEEKLY DIGEST

October 1, 2019

## New IRS Proposed Regulations

"This document sets forth proposed regulations to clarify the application of the employer shared responsibility provisions and certain nondiscrimination rules under the Internal Revenue Code to health reimbursement arrangements (HRAs) and other account-based group health plans integrated with individual health insurance coverage or Medicare (individual coverage HRAs), and to provide certain safe harbors with respect to the application of those provisions to individual coverage HRAs." [Full Article](#)

*Internal Revenue Service*



## Texas v. U.S.: Some Possible Consequences of the ACA Constitutionality Challenge Pending in the Fifth Court

"A decision in the Texas case challenging the constitutionality of the ACA is expected at any time. The authors have outlined a short summary of the litigation, sketched out a possible timeline, and offered their thoughts on a handful of frequently asked questions." [Full Article](#)

*Groom Law Group*

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*This Weekly Digest is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice.*

*Readers should contact legal counsel for legal advice.*

## 2019 Employer Health Benefits Survey

"Annual premiums for employer sponsored family health coverage reached \$20,576 this year, up 5% from last year, with workers on average paying \$6,015 toward the cost of their coverage. The average deductible among covered workers in a plan with a general annual deductible is \$1,655 for single coverage." [Full Article](#)

*Henry J. Kaiser Family Foundation*

### Employer Strategies to Reduce Health Costs and Improve Quality Through Network Configuration

"While networks can mitigate cost growth, there are considerable challenges to developing and promoting these strategies, including concerns that tighter networks may limit enrollee choice and potentially expose employees to out-of-network charges. This analysis includes an overview of strategies employers are implementing." [Full Article](#)

*The Peterson-Kaiser Health System Tracker*

### COBRA Notice Litigation Results In Big Dollar Claims

"Can you imagine something as simple as a COBRA Notice missing a few technical requirements resulting in an employer needing to pay a 6 or 7-digit damages award? That is happening in Florida. In these cases, a COBRA notice is provided to covered persons experiencing a qualifying event, albeit sometimes late." [Full Article](#)

*Jackson Lewis P.C.*



## AFFORDABLE CARE ACT

### ACA Round-Up: MLR Rebates, Insurer Competition, and New Guidance on EDE

"The Kaiser Family Foundation estimated that insurers across the individual and group markets will issue at least \$1.3 billion in medical loss ratio MLR rebates. This is the highest recorded rebate since the ACA's MLR requirement was put in place. Also in September, CMS issued new facts regarding enhanced direct enrollment and an updated list of approved EDE entities." [Full Article](#)

*Health Affairs*

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