



Benefits WEEKLY DIGEST

November 13, 2019

DOL Updates SBC Templates for Plan Years Beginning After January 1, 2020

“The DOL has issued updated summary of benefits and coverage (SBC) templates, instructions, and related materials for use in completing SBCs, as required under the ACA. The updated materials reflect the Tax Cuts and Jobs Act's (TCJA) reduction to zero of the penalty for violating the ACA's individual mandate.” [Full Article](#)

Thomson Reuters Practical Law

HRA

Treasury Department and IRS Propose Individual Coverage HRA Affordability Safe Harbors

“Traditionally, employer-sponsored group health plans use the cost of a single plan (i.e., the lowest cost plan providing minimum value that the employer offers to the employees), which does not vary by employee. In contrast, the affordability test for ICHRAs is based on the cost of the applicable lowest cost silver plan for each employee, which will vary by employee, based on an individual's residence and age.” [Full Article](#)

Mintz

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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.

HHS Increases Civil Money Penalties for HIPAA Noncompliance, Effective November 5, 2019

“HHS has issued final regulations that ... include updated penalties for certain violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). A table reflects certain of HHS's annual inflation adjustments to the civil money penalties for HHS-administered provisions effective November 5, 2019.” [Full Article](#)

Thomson Reuters Practical Law

As Congress Works to Curb Surprise Medical Bills, New York’s Fix Gets Examined

“According to an analysis of newly released data from New York’s Department of Financial Services, the New York model is making health care substantially more expensive in the state. In fact arbiters are typically deciding on dollar amounts above the 80th percentile of typical costs.” [Full Article](#)

Kaiser Health News

Can States Fill the Gap If the Federal Government Overturns Preexisting Condition Protections?

“Before the ACA, state efforts to require insurers to cover people with preexisting conditions resulted in large premium spikes and, in some cases, caused insurers to exit the market. The ACA's premium subsidies have had a critical stabilizing effect. If those subsidies are invalidated, states will have a hard time restoring them with state dollars.” [Full Article](#)

The Commonwealth Fund



Telehealth is Here to Stay

“The CONNECT Act may eliminate significant barriers Medicare beneficiaries currently face in accessing and utilizing telemedicine. CONNECT relies on the discretion of HHS, instead of full removal of the current statutory barriers to telehealth coverage in Medicare .CONNECT would lift telehealth restrictions during times of national emergency, permit the use of telehealth for recertification of care, and expand the types of health professionals able to provide telehealth services.” [Full Article](#)

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