



HEALTHCARE ROUND-UP



July 31, 2018

[Democratic Attorneys General Sue to Block Association Health Plan Rule](#)

Modern Healthcare

Twelve Democratic attorneys general sued the Trump administration Thursday to block a new rule making it easier for small firms and individuals to band together in association health plans free from many Affordable Care Act market rules. The suit, filed in U.S. District Court for the District of Columbia, alleged that the final rule issued by the U.S. Department of Labor last month violated the ACA, the Administrative Procedure Act, and the Employee Retirement Income Security Act.

[Trump Administration Announces Fix for Risk-adjustment Payments](#)

Benefits Pro

The Trump administration announced a regulatory maneuver to allow the resumption of billions of dollars in payments to health insurers under Obamacare, resolving an issue that threatened to undermine the health law and risked raising premiums. The U.S. Centers for Medicare and Medicaid Services on Tuesday posted a rule designed to allow payments under the Affordable Care Act's so-called risk-adjustment program to continue. The payments, worth \$10.4 billion for 2017, had been halted by a judge's ruling, and insurers have been pushing CMS for a quick fix.

[House Passes Legislation Expanding Health Savings Accounts \(HSAs\)](#)

Employee Benefits News

The House of Representatives passed two healthcare bills that would expand the use of health savings accounts, a move that, if advanced, could significantly drive higher employee enrollment in high-deductible health plans that feature HSAs. The Restoring Access to Medication and Modernizing Health Savings Accounts Act (HR 6199) takes several steps to modernize HSAs by allowing plans to provide coverage before the deductible is met, increasing flexibility for retail and onsite clinics, and treating certain over-the-counter drugs as qualified medical expenses. It passed 277-142. The Premium Plans and Expanding Health Savings Accounts Act, meanwhile, passed 242-176. It delays the tax on health insurance from taking effect by two years. It also allows people to contribute more money to their HSAs.

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Everything You Need to Know about the Latest HSA Bills

BenefitsPro

The House of Representatives has passed two bills that expand tax-advantaged healthcare accounts, including HSAs, Flexible Spending Accounts (FSAs), and Health Reimbursement Arrangements (HRAs). These bills will have important implications for HSAs, FSAs, and HRAs.

House Votes to Repeal Obamacare Medical Device Tax

The Hill

The House on Tuesday voted to repeal Obamacare's medical device tax, a provision that members of both parties have criticized as harming innovation. The House voted 283 to 132 to repeal the 2.3 percent tax on sales of medical devices, with some Democrats joining Republicans to approve the measure. 57 Democrats voted for the measure.

ACA Penalties to Continue

Accounting Today

The Internal Revenue Service now has the data to begin the analysis to calculate the potential penalties for tax year 2016 to be assessed against those organizations determined not to be in compliance with the ACA, according to the March 2018 report from the Treasury Inspector General for Tax Administration (TIGTA) on the ACA. Since November 2017, the IRS has issued more than 30,000 Letter 226J notices containing penalty assessments of about \$4.4 billion to employers for failing to comply with the employer mandate, also known as the Employee Shared Responsibility Payment. According to the latest TIGTA report, the IRS identified 318,296 organizations that qualified as applicable large employers.

What the ACA Means for Today's Employers

Employee Benefits News

Since 2010 with the full-throated implementation of the ACA it is apparent that the one constant during the summer months is that employers spend a tremendous amount of time and energy attempting to understand how to adjust to the future. As employers begin their process of planning, budgeting, and forecasting employee benefit program costs for the remainder of 2018 and 2019, it appears we are yet again filled with uncertainty.

As Trump Attacks, Insurers Boost Obamacare Marketing

Forbes

Large health insurers have joined the parade of startups investing more in marketing and operations to expand their geographic footprints and sell more individual coverage under the ACA.