

Checkpoint Contents

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PPC's Health Care Reform Update

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Health Care Reform Developments (9/16/13)

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Applying Affordable Care Act Provisions to HRAs, FSAs, and Certain Other Employer Healthcare Arrangements

The IRS issued Notice 2013-54 providing guidance on the application of certain Affordable Care Act provisions to the following types of arrangements: (1) health reimbursement arrangements (HRAs), including HRAs integrated with a group health plan; (2) group health plans under which an employer reimburses an employee for some or all of the premium expenses incurred for an individual health insurance policy or arrangements under which the employer uses its funds to directly pay the premium for an individual health insurance policy covering the employee; and (3) certain health flexible spending arrangements (health FSAs). The notice also provides guidance on employee assistance programs and on IRC Sec. 125(f)(3), which generally does not allow coverage offered through a state insurance marketplace to be paid for under a cafeteria plan.

FAQ on Marketplace Notice

The DOL posted a new FAQ clarifying that no fine or penalty will apply to an employer that fails to provide its employees with the notice about the health insurance marketplaces. Information on the marketplace notice, which is due by October 1, 2013, is in section 801 of *PPC's Guide to Health Care Reform*.

FAQs on the Premium Assistance Credit

The IRS has updated its website with new FAQs on the premium assistance credit. Information on the premium assistance credit is in section 302 of *PPC's Guide to Health Care Reform*.

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