



Employee Benefits Compliance Update

In the last week of 2022, two items of note came out of Washington, D.C., with impacts on group health plans:

FAQ ABOUT AFFORDABLE CARE ACT AND CONSOLIDATED APPROPRIATIONS ACT, 2021 IMPLEMENTATION PART 56

The U.S. Departments of Health and Human Services, Labor and Treasury released a FAQ with guidance establishing limited deadline and enforcement relief for the 2020 and 2021 Prescription Drug Data Collection (RxDC) submissions that were due by December 27, 2022.

In this guidance, which was expected for this initial filing, the Administration provided a submission grace period through January 31, 2023, and will not consider a plan or issuer to be out of compliance with these requirements provided that a good faith submission of 2020 and 2021 data is made on or before that date.

[Read the complete FAQ here.](#)

TELEHEALTH RELIEF INCLUDED IN CONSOLIDATED APPROPRIATIONS ACT

The omnibus bill signed into law on December 23, 2022, included the anticipated extensions to the relief allowing telehealth coverage at no cost to plan participants of High Deductible Health Plans (HDHPs) with Health Savings Accounts (HSAs). This relief is optional for plan sponsors and is effective through 2024.

The applicable portion of the bill states:

- **Subtitle E—Health Care Tax Provisions**
 - **Sec. 4151 – Extension of Safe Harbor for Absence of Deductible For Telehealth (pg. 3805)**
 - This section provides a two-year extension of the flexibility allowing employers/plans to provide coverage for telehealth services pre-deductible for individuals with a high deductible health plan coupled with a health savings account (HDHP-HSA) through December 31, 2024.

As always, please reach out to your Scott Benefits team with any questions you may have about these updates and how they may impact your group health plan.