



Compliance Recap

June 2020

June was a busy month in the employee benefits world.

The Internal Revenue Service (IRS) released the updated patient-centered outcomes research institute (PCORI) fee amount and announced transition relief. The Department of Health and Human Services' Office for Civil Rights (OCR) published a final rule regarding the Patient Protection and Affordable Care Act's (ACA's) Section 1557.

The President signed the Paycheck Protection Program Flexibility Act of 2020. The Department of Labor (DOL), Department of Health and Human Services (HHS), and the Department of the Treasury (Treasury) (collectively, the Departments), issued additional frequently asked questions (FAQs) on health plan coverage under the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

The Centers for Medicare and Medicaid Services (CMS) issued a letter highlighting COVID-19 guidance for non-federal governmental plan sponsors. CMS issued an information bulletin for insurers regarding the 2019 medical loss ratio (MLR) rebate.

The IRS released a proposed rule on direct primary care, health care sharing ministries, and other medical arrangements. The DOL released proposed updates for the 2020 Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) Self-Compliance Tool. The Congressional Research Service (CRS) issued an updated version of its Health Insurance Continuation Coverage Under COBRA report. CRS also provided an overview of potential COVID-19 impacts on health flexible spending accounts (FSAs) and recent health FSA changes.

The IRS issued Notice 2020-35, which provides additional relief in the form of postponed deadlines for certain time-sensitive actions due to the COVID-19 emergency. The DOL issued a field assistance bulletin on an employee's eligibility for leave under the FFCRA due to the closure of summer programs for an employee's child.

UBA Updates

UBA released new advisors:

- [CMS Letter Summarizing COVID-19 Guidance for Non-Federal Governmental Plan Sponsors](#)
- [Frequently Asked Questions on Health Plan Coverage under the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act, Part 2](#)

UBA updated, refreshed, or revised existing guidance:

- [The Coronavirus Aid, Relief, and Economic Security Act Paycheck Protection Program](#)
- [Frequently Asked Questions about the Patient-Centered Outcomes/Comparative Effectiveness \(PCORI\) Fee](#)
- [Update on Nondiscrimination Regulations Relating to Sex, Gender, Age, and More](#)
- [Frequently Asked Questions on Health Plan Coverage under the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act](#)

Download the [complete recap](#) to read about:

- IRS Releases Updated PCORI Fee and Transition Relief
- OCR Publishes Final Rule to Revise ACA Section 1557 Regulations
- President Signs Paycheck Protection Program Flexibility Act of 2020
- DOL, HHS, and the Treasury Issue additional FAQs on Health Plan Coverage under the FFCRA and the CARES Act
- CMS Issues Letter Highlighting COVID-19 Guidance for Non-Federal Governmental Plan Sponsors
- CMS Issues Information Bulletin for Insurers Regarding the 2019 MLR Rebate
- IRS Releases Proposed Rule on Direct Primary Care, Health Care Sharing Ministries, and Other Medical Arrangements
- DOL Releases Proposed Updates for the 2020 MHPAEA Self-Compliance Tool
- CRS Updates Overview of Health Insurance Continuation Coverage Under COBRA
- CRS Provides Overview of Potential COVID-19 Impacts on Health FSAs and Recent Health FSA Changes
- DOL Issues Field Assistance Bulletin on FFCRA Leave due to Closure of Summer Programs
- Question of the Month