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Employee Benefits and Human Resources Law

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Expanded Benefits for FSAs, HRAs, HSAs and HDHPs

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) expands the benefits under account-based plans, including flexible spending accounts (FSAs), health reimbursement accounts (HRAs), health savings accounts (HSAs), and high deductible health plans (HDHPs), with generally immediate impact.

Telehealth and Other Remote Services. For plan years beginning before 2021, HDHPs may pay expenses for telehealth and other remote services without regard to the deductible amount for the plan. This provision will last until December 31, 2021.

OTC and Menstrual Care Products.

- For *amounts paid* after December 31, 2019, HSAs and Archer MSAs may treat expenses for over the counter products as paid for medical care even if they aren't paid under a prescription. Likewise, HSAs and Archer MSAs may treat amounts paid for menstrual care products as amounts paid for medical care.
- For *reimbursements* after December 31, 2019, the same rules apply to FSAs and HRAs.
- These provisions have no expiration date.

Dated: April 6, 2020

The content herein is provided for educational and informational purposes only and does not contain legal advice. Please contact our office if you have any questions about compliance requirements applicable to your employee benefit plans or other HR compliance matters.

