HHS Renews COVID-19 Public Health Emergency Determination Affecting Group Health Plans

“HHS has renewed its determination that a public health emergency exists nationwide as a result of the COVID-19 pandemic, effective October 23, 2020. The FFCRA and CARES Act require group health plans to cover -- without cost-sharing, preauthorization, or other medical management requirements -- certain COVID-19-related diagnostic and preventive health services. The requirements are effective from March 18, 2020, for the duration of this HHS-declared public health emergency.” Full Article

Thomson Reuters

No Extension of Time to Provide Medicare Part D Notices

“Even during the global pandemic, employers must still distribute Medicare Part D notices to applicable plan participants prior to October 15th in order to satisfy this requirement. The CMS website has customizable model Notices for both creditable and non-creditable coverage.” Full Article

Graydon
Supreme Court to Hear ERISA Preemption Dispute

"On October 6, 2020, the U.S. Supreme Court will hear argument on ERISA's preemptive effect on a state law regulating pharmacy benefit managers' (PBMs) generic drug reimbursement rates. The case considers regulation of PBMs under Arkansas law, but because a majority of states have enacted similar laws, the decision in Rutledge will extend beyond Arkansas.” Full Article

Executive Office of the President

What is a Typical Open Enrollment Period?

"More than nine in ten (95%) responding organizations have an open enrollment period. More than three in four (77%) responding organizations begin their open enrollment periods in either October (34%) or November (43%). More than one-half (52%) of responding organizations have an open enrollment period that lasts two weeks. About three in four (75%) respondents have their workers make open enrollment changes online/virtually, while 12% give their workers the choice between making changes online/virtually or using hard copy documents.” Full Article

International Foundation of Employee Benefit Plans

2020 ERISA Welfare Plan Checklist for Participant Disclosures

“Many employers sponsor ERISA welfare benefit plans and are currently undergoing their open enrollment process and issuing related participant communications. This Participant Disclosures Checklist can be used during open enrollment and throughout the plan year.” Full Article

Bass, Berry & Sims PLC

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