

Health Care Reform Resource Center

This page serves as a resource center for materials and information related to the various legislation, proposals, and documents dealing with health care reform matters to assist you in navigating through the terms of the legislation and what it means for you. For specific questions related to your particular situation, please contact a member of our Health Care team.

Document Resource Center

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All documents are in PDF format unless otherwise noted. To download the latest version of Adobe Acrobat Reader, please visit Adobe's website.

- **American Recovery and Reinvestment Act of 2009**
 - American Recovery and Reinvestment Act of 2009 Parts A & B
 - Website: Recovery.gov (*not a PDF*)
 - Agency Guidance: Office of Civil Rights: Draft Guidance on HIPAA Security Rule Risk Analysis Pursuant to HITECH Act/ARRA
 - Agency Guidance: HHS: Proposed Modifications to HIPAA Privacy Rules Pursuant to HITECH/ARRA
- **Health Care Reform Legislation**
 - Act: Health Care and Education Reconciliation Act of 2010
 - Act: Patient Protection and Affordable Care Act
 - Consolidated Acts: PPACA as Amended by HCERA (*unofficial*)
- **Health Care Reform Summary**
 - CBS: "A Look at What's in the Bill" (*not a PDF*)
- **Telemedicine**

- Policy: National Telemedicine Initiatives: Essential to Healthcare Reform
- Presentation: "American Recovery and Reinvestment Act of 2009 Overview: A Win for Telemedicine"
- Presentation: "Using the Buzz: Health Reform Action and Stimulus Implementation"
- **What the Legislation Means for Employers and Employees**
 - **General Guidance**
 - **April 2010 Employee Benefits, ERISA & Executive Compensation E*Bulletin:** Health Care Reform is Now Law: Will the Light Come on When Your Employees Open the Fridge?
 - U. S. Chamber of Commerce Report: "Critical Employer Issues in the Patient Protection and Affordable Care Act"
 - HHS Web Portal: <http://www.healthcare.gov/>
 - EBSA FAQs Regarding PPACA Implementation, Part I (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation, Part II (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation, Part III (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation, Part IV (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation, Part V (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation, Part VI (*not a PDF*)
 - EBSA FAQs About Affordable Care Act Implementation, Part VII, and Mental Health Parity Implementation (*not a PDF*)
 - EBSA FAQs Regarding PPACA Implementation Part VIII (*not a PDF*)
 - IRS Page on Affordable Care Act of 2010: News Releases, Multimedia and Legal Guidance (*not a PDF*)
 - **Claims and External Review Procedures**
 - Regulatory Guidance: IRS, DOL and HHS: Interim Final Rules Relating to Internal Claims and Appeals and External Review Processes

- Model Notice of Adverse Benefit Determination (*not a PDF*)
- Model Notice of Final Adverse Benefit Determination (*not a PDF*)
- Model Notice of Final External Review Decision (*not a PDF*)
- DOL Technical Release 2010-01: Interim Procedures for Federal External Review
- DOL Technical Release 2010-02: Interim Procedures for Internal Claims and Appeals under PPACA
- DOL Technical Release 2011-01: Extension of Non-Enforcement Period Relating to Certain Interim Procedures for Internal Claims and Appeals Under the Patient Protection and Affordable Care Act (*not a PDF*)
- Amended Guidance on Health Care Reform's Internal and External Claims Process
- **Dependent Coverage**
 - Agency Guidance: DOL FAQs on Dependent Coverage (*not a PDF*)
 - Regulatory Guidance: IRS Notice 2010-38: Tax Treatment of Health Care Benefits Provided with respect to Children Under Age 27
 - Regulatory Guidance: IRS, DOL, and HHS: Interim Final Rules Relating to Dependent Coverage of Children to Age 26
 - Model Notice of Opportunity to Enroll in Connection with Extension of Dependent Coverage to Age 26
 - Revised Model CHIP Notice
- **Discriminatory Fully Insured Plans**
 - IRS Notice 2010-63: Request for Comments on Requirements Prohibiting Discrimination in Favor of Highly Compensated Individuals in Insured Group Health Plans
 - IRS Notice 2011-1: Delay of Affordable Care Act Nondiscrimination Provisions Applicable to Insured Group Health Plans
- **Early Retiree Reinsurance Program**
 - Fact Sheet: Early Retiree Reinsurance Program
 - Regulatory Guidance: HHS Interim Final Rule: Early Retiree Reinsurance Program
 - Application for Early Retiree Reinsurance Program

- Application Instructions
- Application FAQs (*not a PDF*)
- HHS: Notice of a New System of Records
- Application Dos and Don'ts
- HHS Powerpoint
- Early Retiree Reinsurance Program (ERRP) Website:
www.errp.gov
- ERRP Notice to Plan Participants
- ERRP Claims Eligible for Reimbursement
- **Essential Health Benefits**
 - Essential Health Benefits Bulletin Center for Consumer Information and Insurance Oversight (December 16, 2011)
- **General Guidance**
 - EBSA FAQs Regarding PPACA Implementation Part IX

Grandfathered Plans

- Report: Grandfathered Health Plans Under PPACA
- IRS, DOL, HHS: Interim Final Regulations Regarding Grandfathered Plans
- HHS Fact Sheet: Grandfathered Plans (*not a PDF*)
- HHS Press Release: Grandfathered Plans (*not a PDF*)
- HHS Q&A: Grandfathered Plans (*not a PDF*)
- Table: HHS Table of Provisions Applicable and Inapplicable to Grandfathered Plans
- HHS Model Language for Grandfathered Health Plan Disclosure under Section 1251 of PPACA
- IRS, DOL, HHS: Amendment to Interim Final Regulations Regarding Grandfathered Plans
- HHS Fact Sheet: Amendment to Interim Final Regulations Regarding Grandfathered Plans (*not a PDF*)
- **HSAs, HRAs, FSAs**
 - Congressional Research Service Report: HSAs: Overview of Rules for 2010
 - IRS Notice 2010-59: Guidance regarding Definition of Over-the-Counter Drugs

- IRS Revenue Ruling 2010-23: Previous Ruling Allowing Reimbursement of OTC Drugs Ruled Obsolete
- IRS Q&As on OTC Medications (*not a PDF*)
- IRS Notice 2011-5: Rules for the Use of Health FSAs, HSAs or HRAs Debit Cards
- **Lifetime and Annual Limits**
 - IRS, DOL, HHS: Proposed and Final Regulations Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections
 - Model Notice on Lifetime Limits and Enrollment Opportunity
 - HHS Insurance Standards Bulletin: Process for Obtaining Waivers of the Annual Limits Requirements of PHS Act Section 2711
 - HHS Guidance on Sale of Mini-Med Plans (December 9, 2010)
 - HHS Guidance on HRA Exemption From Annual Limits: Supplemental Guidance
 - Technical Instructions for the Waiver Extension and Waiver Application Process
 - HHS Updated Fact Sheet (*not a PDF*)
- **Medical Loss Ratios**
 - Technical Release No. 2011-04 Guidance on Rebates for Group Health Plans Paid Pursuant to the Medical Loss Ratio Requirements of the Public Health Service Act
 - Final Regulations Regarding Medical Loss Ratio Requirements Under the Patient Protection and Affordable Care Act; Final Rule
- **Multiple Employer Welfare Arrangements (MEWAs)**
 - EBSA Proposed Rules Ex Parte Cease and Desist and Summary Seizure Orders
 - EBSA Proposed Rules Filings Required of Multiple Employer Welfare Arrangements and Certain Other Related Entities
 - EBSA Proposed Revision of Annual Information Return/Reports
 - EBSA Notice of Proposed Revision of the Form M-1
 - EBSA Proposed Revision to Form M-1 (*not a PDF*)
 - Fact Sheet on MEWA Affordable Care Act Proposed Regulations (*not a PDF*)
- **Patient-Centered Outcomes Research Fee**

- IRS Notice 2011-35 Request for Comments on Funding of Patient-Centered Outcomes Research Trust Fund (PDF)
- **Patient Protections**
 - IRS, DOL, HHS: Proposed and Final Regulations Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections
 - Model Notice on Patient Protections
 - Patient's Bill of Rights (*not a PDF*)
- **Pre-Existing Condition Exclusions**
 - IRS, DOL, HHS: Proposed and Final Regulations Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections
 - Interim Final Rule: HHS: Pre-Existing Condition Insurance Plan Program ("High Risk Pool")
 - Pre-Existing Condition Insurance Plan Website: www.pcip.gov
- **Preventive Health Services**
 - IRS, DOL and HHS: Interim Final Rules Relating to Coverage of Preventive Services
 - Amendments to the Interim Final Regulations Regarding Preventive Health Services (including women's preventive services)
 - Women's Preventive Services: Required Health Plan Coverage Guidelines (*not a PDF*)
- **Reporting**
 - Employer-Provided Health Coverage Informational Reporting Requirements: Questions and Answers
 - IRS Notice 2012-9 Interim Guidance on Informational Reporting to Employees of the Cost of Their Group Health Insurance Coverage
 - IRS Notice 2010-69: Interim Relief with Respect to Form W-2 Reporting
 - IRS Draft 2011 Form W-2 (10/12/2010)
 - IRS Notice 2011-28: Interim Guidance on Informational Reporting to Employees of the Cost of Their Group Health Insurance Coverage
 - IRS Guidance on Form W-2 Reporting of Employer-Sponsored

Health Coverage

- **Rescissions**
 - IRS, DOL, HHS: Proposed and Final Regulations Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections
- **Shared Responsibility, Automatic Enrollment and Waiting Periods**
 - IRS notice 2012-17/DOL Technical Release No. 2012-01 FAQ Regarding Automatic Enrollment, Employer Shared Responsibility, and Waiting Periods
 - IRS Notice 2011-36: Request for Comments on Shared Responsibility Provisions for Employers Regarding Health Coverage
 - Congressional Research Service Report: Summary of Potential Employer Penalties
 - IRS Notice 2012-31 Minimum Value of an Employer-Sponsored Health Plan
 - IRS Notice 2012-32 IRS Request for Comments on Reporting of Health Insurance Coverage
 - IRS Notice 2012-33 Request for Comments on Reporting by Applicable Large Employers on Health Insurance Coverage
- **Small Employer Tax Credits**
 - Form 8941 and Instructions for Small Businesses and Tax-Exempt Organizations Tax Credit
 - Agency Guidance: IRS FAQs on Small Business Health Care Tax Credit (*not a PDF*)
 - Regulatory Guidance: IRS Rev Rul 2010-13: Determining Average Premium in Connection with the Small Employer Health Insurance Credit
 - Regulatory Guidance: IRS Notice 2010-44: Tax Credit for Employee Health Insurance Expenses of Small Employers
 - IRS Small Business Health Care Tax Credit for Small Employers (*not a PDF*)
 - Congressional Research Service Report: Summary of Small Employer Tax Credits Under PPACA
- **Summary of Benefits and Uniform Glossary**

- Final Regulations
- Templates, Instructions, and Related Materials; and Guidance for Compliance
- Templates, Instructions, and Materials
 - Summary of Benefits and Coverage (SBC) Template (Word format)
 - Sample Completed SBC (Word format)
 - Instructions for Completing the SBC (Group Health Plan Coverage)
 - Why This Matters—Language for "Yes" Answers
 - Why This Matters—Language for "No" Answers
 - HHS Information for Simulating Coverage Examples
 - Uniform Glossary of Coverage and Medical Terms
- Proposed Regulations
- Templates, Instructions, and Related Materials—Subregulatory Guidance
- HHS Fact Sheet (*not a PDF*)
- **Tax Impacts**
 - Report: Joint Committee on Taxation Explanation of Revenue Provisions in the PPACA and Reconciliation Act
- **Wellness Plans**
 - Congressional Research Service Report: Wellness Programs: Selected Legal Issues
- **What the Legislation Means for Providers**
 - **April 2010 Health Care E*Bulletin:** Summary of Health Care Reform Changes

Related Jones Walker Publications

- **November 2010 Employee Benefits, ERISA & Executive Compensation E*Bulletin:** Affordable Care Act: New Grandfathered Health Plan Guidance
- **April 2010 Employee Benefits, ERISA & Executive Compensation E*Bulletin:** Health Care Reform is Now Law: Will the Light Come on When Your Employees Open the Fridge?
- **April 2010 Health Care E*Bulletin:** Summary of Health Care Reform

Changes

- **April 2010 Employee Benefits, ERISA & Executive Compensation**
E*Bulletin: COBRA Subsidy Extended Again . . . and Again
- **March 2010 Employee Benefits, ERISA & Executive Compensation**
E*Bulletin: COBRA Subsidy Extended Again
- **January 2010 Employee Benefits, ERISA & Executive Compensation**
E*Bulletin: COBRA Subsidy Extended; Department of Labor Issues Revised Model Notices
- **March 2009 Employee Benefits, ERISA & Executive Compensation**
E*Bulletin: DOL Issues Model Notices for "Second Chance" COBRA Election and Subsidy
- **February 2009 Employee Benefits, ERISA & Executive Compensation**
E*Bulletin: Stimulus Law Makes Major Changes to COBRA

Other Important Health Care Resources

- **Relevant Websites:**
 - Website: U.S. Department of Health and Human Services
 - Website: Health Reform
 - Website: Centers for Medicare and Medicaid