



BENECARD®

Carve-out prescription drug benefit programs.

CAA Bulletin Update: Interim final rule issued by HHS, DOL on new reporting requirements

The Consolidated Appropriations Act, 2021 (CAA) was enacted on December 27th, 2020. The CAA contains various components that will become effective through the 2021 to 2023 plan years which are by regulation the responsibility of the employer plan sponsor. A portion of the CAA called the No Surprises Act (NSA), contains various rules and provisions to mitigate surprise balance billing. In addition, the November 2020 Group Health Plan Transparency Regulations are a separate set of rules which run parallel to the CAA and with similar purposes.

Update to CAA Title I NSA Sec 204 “Reporting on Pharmacy Benefits and Drug Cost”:

On November 17th, 2021, the Centers for Medicare & Medicaid (CMS) provided an update based on comments from the Department of Health & Human Services (HHS), Department of Labor (DOL), Department of Treasury and the Office of Personnel Management (OPM). These comments provide the fourth rule issued by the various Departments in addition to the CAA, NSA, and Transparency Regulations, with this rule related to the Reporting of Pharmacy Benefits and Drug Costs.

Under this new rule, employer plan sponsors and health insurance issuers offering group or individual health insurance coverage must submit, by December 27th, 2022, various data to the applicable federal agencies such as, but not limited to, average monthly premiums, member drug spend, top 50 drug reports by most utilized brand name drugs, and highest cost drugs for the calendar years 2020 and 2021. The federal agencies also ruled that such data will be required to be submitted on an aggregate basis at the state/market level rather than separately for each plan.

Benecard Response: We are in the process of building specific reporting reflective of the CAA requirements and expect to be in compliance with the CAA by the December 27th, 2022 deadline for the first reporting to be sent to the applicable federal agencies. As noted above, the new rules under this requirement allow Benecard to submit all employer plan sponsors’ data in the aggregate to the various federal agencies, which we intend to do.

Please contact your Benecard Services Client Relations Manager at (609) 219-0400 or via email should you have any questions regarding the above bulletin.

Disclaimer: This document is not intended to provide legal, tax, or accounting advice nor a full description of all components that make up the CAA, NSA, and/or Transparency Regulations. Consult with your attorney or accountant about the impact these federal healthcare reform laws have on your health benefit plans.

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