PATIENT PROTECTION AND AFFORDABLE CARE ACT ("PPACA")

Key Provisions, Implementing Regulations and Projected Timeline.
Brief History

- The Patient Protection and Affordable Care Act (PPACA) - March 23, 2010
- The Health Care and Education Reconciliation Act - March 30, 2010

Key Implementation Dates:
- Immediately after passage
- September 23, 2010 (6 month mark)
- January 1, 2011 and annually thereafter
- Other dates as designated in implementing regulations
Key Provisions for 2010-11

- Grandfathered Plan Provisions
- Pre-Existing Conditions
  - Under 19
  - Everyone
- Lifetime Maximums
- Annual Maximums
  - PPACA
  - Interim Regulations
Key Provisions for 2010-11

- “Dependents”
- Nondiscrimination Rules
- Rescission of Coverage
- Preventive Services Requirement
Key Provisions for 2010-11

- Form W-2 Reporting
- OTC Drug Prohibitions
  - Tax on HSA/Archer MSA Distributions
- Simple Cafeteria Plans
- Retiree Reinsurance
Post-2011 Effective Provisions

- Health Flexible Spending Account (FSA) Contribution Limits
- Individual Mandate
  - Rule
  - Penalties for Noncompliance
- Health Benefit Exchanges
- Expansion of Medicaid
Post-2011 Effective Provisions

- Free Choice Vouchers/Premium Assistance
- Employer Reporting Requirements
- “Cadillac Plan” Excise Tax
- Wellness Grants/Rewards
Tax/Fee Related Provisions

- Medicare (2013)
  - Payroll Taxes
  - Investments

- Corporate Information Reporting (2012)

- Industry Specific Revenue Raising Provisions
  - Insurance
  - Pharmaceutical
  - Medical Device Mfrs.
Impact to Employers

- Small Employers vs. Larger Employers
  - Counting FTE’s
- Recognized size categories:
  - 10 or fewer FTE’s
  - 11-25 FTE’s
  - 26-49 FTE’s
  - 50+ FTE’s
  - >200 FTE’s
Implementing Regulations

- Early Retiree Reinsurance Program (5/5)
- Web Portal Requirement (5/10)
- Dependent Coverage – (5/13)
- Grandfathered Plans – (6/17) (amended)
- Patients’ “Bill of Rights” – (6/28)
  - Lifetime/Annual Limits
  - Rescissions
  - PEC Exclusions
  - Patient Protections
Implementing Regulations

- Preexisting Condition Ins. Plan – (7/1; 7/30)
- Preventive Care Mandated – (7/14)
- Consumer Appeals to Health Plans (7/23)
- Exchange IT – (11/3)
- Exchange Initial Guidance – (11/18) (Pt 1 of 3)
- Medical Loss Ratio Rules – (11/22)
- Annual Limit Waivers – (12/9)
Other Guidance

- FAQ’s
  - 9/20/10
  - 10/8/10
  - 10/12/10
  - 10/28/10
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