



Healthcare & Flexible Spending Account CARES Act Provisions Applicable to Maine Community College Benefit Plans

This summary of modifications describes changes that may impact plan participants benefits under the Maine Community College System's Health Insurance and Flexible Spending Account plans.

Effective Date of Material Modification: 04/01/2020-12/31/2020

The CARES Act added in several changes that impact participant's benefits as summarized below:

Health Insurance Plan

- **Coverage of Diagnostic Testing for COVID-19** —The Families First Coronavirus Response Act is revised to clarify that *all testing for COVID-19* must be covered by group health plans without cost sharing. This includes tests without an emergency use authorization by the Food and Drug Administration.
- **Pricing of Diagnostic Testing** – For COVID-19 testing that is covered with no cost to participants, group health plans must pay either the rate specified in a contract between the provider and the plan, or, if there is no contract, a cash price published by the provider on a public internet site, A provider who does not publish a cash price for testing may be subject to a penalty of \$300 for each of day on noncompliance.
- **Rapid Coverage of Preventive Services and Vaccines for The Coronavirus** — Group health plans must provide free coverage without cost-sharing for a COVID-19 vaccine that has in effect, a rating of "A" or "B" in the current recommendations, of the United States Preventive Services Task Force or a recommendation from the Advisory Committee on Immunization Practices (ACIP). The coverage must be provided within 15 days of any such recommendation

Flexible Spending Accounts (FSAs)

- **Use for Purchase of Over the Counter (OTC) Drugs** – Health Care Spending Accounts may be used to purchase over-the-counter drugs without a physician’s prescription. They may also be used to purchase menstrual care products including tampons, pads, liners, cups, sponges, and similar products. The date of purchase must be after December 31, 2019.
- **Card purchases** - Health care debit card use for OTC drugs without a prescription and menstrual products is dependent on the updated eligible product list managed by the Special Interest Group for IAS Standards (SIGIS), then merchants updating their systems. In the interim, members will need to submit manual claims with the proper documentation.

Plan participants may be interested in updating their flexible benefits due to changes in health and lifestyle experiences. Here are guidelines on what’s allowable under current guidelines.

- **Flexible Spending Accounts (FSAs)** - Unfortunately, members cannot make election changes without a qualifying life event, as such having more, or fewer medical expenses do not qualify.
- **Dependent Care Flexible Spending Accounts (DCFSAs)** - Members can update their election if there’s a change in the childcare provider or cost of coverage, as long as the update is consistent with the change. For example, if a daycare provider stopped services due to COVID-19, the election can be reduced or eliminated.