

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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