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Agencies Finalize Excepted Benefits Regulations

In late 2013, the Agencies published additional proposed regulations with respect to excepted benefits. The 2013 proposed regulations proposed to – simplify the exception for limited-scope vision and dental benefits, set forth criteria under which employee assistance programs (EAPs) would be excepted benefits, and allow in limited circumstances coverage that wraps around certain individual health insurance coverage as excepted benefits. After the Agencies considered comments received on the 2013 proposed regulations, the Agencies published final regulations on October 1, 2014 regarding dental and vision benefits and EAP benefits. However, the 2014 final regulations did not contain any provisions concerning the wrap around coverage as excepted benefits. Later, on December 23, 2014, the Agencies published new proposed regulations concerning the wrap around coverage as excepted benefits. The Agencies today have finalized those proposed regulations. Coverage may be offered under the new final regulations as early as January 1, 2016. Click here for a preview copy of the final regulations.