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JANUARY 8, 2015

HHS Updates CLAS Requirements

Have you ever noticed that EOBs are now five pages long? I recently received one in the mail that needed it's own table of contents. One of the reasons is that the ACA requires non-grandfathered group health plans to provide notices (such as EOBs and SBCs) in a culturally and linguistically appropriate manner, referred to as the CLAS requirements. The regulations implementing this requirement also require non-grandfathered health plans to make certain accommodations for notices sent to an address in a county meeting a threshold percentage of people who are literate only in the same non-English language. This threshold percentage is set at 10 percent or more of the population residing in the claimant's county. But, rather than make the required disclosures to only those participants in those counties, most TPAs simply provide the required statements in the applicable non-English language to everyone regardless of a participant's location. This has lead to the increasing length of disclosures. For those who limit disclosures to only the affected counties, HHS has published the updated list here.