

July 2020

### Employer Considerations

#### The Evolution of Telemedicine & Mental Health

Professionals in law, health care, and even venture capital are beginning to see the dramatic effect of telehealth - virtual health care delivered through audio, visual, or remote channels - on patient health outcomes. As the effects of the COVID-19 pandemic continue to impact the daily behaviors of all Americans, ongoing essential decisions are being made on the basis of limiting infection risk. As more and more workers begin to change their grocery, shopping, and even interpersonal habits, faith in remote solutions grow, paving the way for telehealth's rapid expansion in the domestic health care industry. [READ MORE](#)

#### Reminder: PCORI Fees Reinstated Through 2029

The Affordable Care Act (ACA) created the Patient-Centered Outcomes Research Institute (PCORI) to help patients, clinicians, payers and the public make informed health decisions by advancing comparative effectiveness research. The Institute's research is funded, in part, by fees paid by health insurance issuers and sponsors of self-insured health plans.

Under the ACA, the PCORI fees were scheduled to apply to policy or plan years ending on or after Oct. 1, 2012, and before Oct. 1, 2019. A federal [spending bill](#) enacted at the end of 2019 included several provisions affecting benefit plans. The bill repealed three major taxes and fees under the ACA - the Cadillac tax, the medical devices excise tax and the health insurance providers fee. The law also *extended* the PCORI fees for an additional 10 years. These fees will continue to apply for the 2020-2029 fiscal years. [READ MORE](#)

#### Legal Update: Final Rule on Section 1557 Nondiscrimination

On June 12, 2020, the U.S. Department of Health and Human Services (HHS) issued a [final rule](#) implementing Section 1557, the civil rights provision of the Affordable Care Act (ACA) relating to nondiscrimination in federally funded health care. [READ MORE](#)

#### Legal Update: Supreme Court Rules Sexual Orientation and Gender Identity Discrimination Violates Title VII

In a highly anticipated decision issued on June 15, 2020, the U.S. Supreme Court has ruled that Title VII of the federal Civil Rights Act (Title VII) protects individuals against employment discrimination based on their sexual orientation or gender identity. The U.S. Supreme ruled that federal law protects gay and transgender individuals from being discriminated against in the workplace. [READ MORE](#)

#### Live Well, Work Well: Boosting your Mental Health, Surviving the Summer Heat, and Social Distancing

The coronavirus (COVID-19) pandemic has caused uncertainty, stress and worry for many for the past few months. Even as businesses reopen and restrictions are lifted, many Americans are experiencing considerable anxiety. According to a recent Gallup poll, nearly 60% of U.S. adults reported daily stress and worry due to the pandemic. With more than half of Americans reporting to Dynata, a survey insights firm, that they think the COVID-19 pandemic will last six months or more, many health experts are concerned about the nation's mental health. [READ MORE](#)

## Employer Considerations – July 2020

### HSA Limits increase for 2021

On May 20, 2020, the IRS announced the inflation-adjusted limits for HSAs and high deductible health plans (HDHPs) for 2021. The HSA Contribution limits for 2021 are \$3,600 (self-only HDHP coverage) and \$7,200 (family HDHP coverage). There are no changes to the \$1,000 catch-up contribution limit for individuals who are age 55 or older. The minimum deductible amount for HDHPs remains the same for 2021 plan years (\$1,400 for self-only coverage and \$2,800 for family coverage). However, the HDHP maximum out-of-pocket expense limit increases to \$7,000 for self-only coverage and \$14,000 for family coverage.

### Reference-based Pricing and the COVID-19 Pandemic

Many experts believe that the coronavirus (COVID-19) pandemic will cause health care costs to rise at a higher rate than in years past. This rise in costs will lead employers across the country to explore alternative health plan funding options, including reference-based pricing (RBP). [READ MORE](#)

Contact a Bolton consultant today for more information on your Employee Benefit Needs.

Please Note: The information contained in this letter is not legal advice and should not be relied upon or construed as legal advice. This letter is for general informational purposes only and does not purport to be complete or cover every situation. Please consult your own legal advisors to determine how these laws affect you.