

Departments Delay Effective Date for Summary of Benefits and Coverage

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Publication Date: November 23, 2011

In a Frequently Asked Question ("FAQ"), the Departments of Health & Human Services, Labor, and the Treasury (the "Departments") stated that group health plans are not required to comply with the Summary of Benefits and Coverage and Uniform Glossary requirement until final regulations are issued.

On August 22, 2011, the Departments issued proposed regulations that require group health plans subject to the Patient Protection and Affordable Care Act to furnish a Summary of Benefits and Coverage and Uniform Glossary to plan participants and beneficiaries (the "Summary Requirement"). At that time, the Departments also issued a proposed template for compliance with the Summary Requirement and proposed an effective date of March 23, 2012.

On November 17, 2011, in a FAQ, the Departments addressed concerns about the effective date for the Summary Requirement and noted that they had received many comments to the proposed regulations and templates. The Departments stated that they intend to issue final regulations as soon as possible that take these comments into account, and that until final regulations are issued, group health plans are not required to comply with the Summary Requirement.

No time frame has been proposed for the issuance of the final regulations. However, the Departments anticipate that, once issued, the final regulations will include an effective date for the Summary Requirement that gives group health plans sufficient time to comply.

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