

Health Service Board

Market Reform & HIPAA Compliance Update

December 8, 2016

Prepared by:
Aon | Aon Hewitt | Health & Benefits



Overview

There are many compliance requirements that plans must comply with under the Affordable Care Act as well as the Health Insurance Portability and Accountability Act (HIPAA).

Many do not apply to San Francisco Health Service System (HSS) as a governmental entity that is not subject to Employee Retirement Income Security Act (ERISA).

The following slides summarize the compliance status of the HSS plans.

Key Compliance Provisions

A few of the key compliance provisions include the following:

- No pre-existing condition exclusions
- Eligibility and employee contributions may not vary based on health conditions, claims utilization, medical history, genetic information, evidence of insurability or disability
- Wellbeing program incentives/dis-incentives may not exceed 30% of employee only coverage, up to 50% for tobacco related incentives/dis-incentives
- Services covered may not be excluded based on provider type, as long as the provider is acting within the scope of their license
- Member out-of-pocket maximums may not exceed \$6,850 for employee only coverage and \$13,700 for family coverage

Key Compliance Provisions (cont.)

- A few of the key compliance provisions include the following:
 - No waiting periods longer than 90 days
 - No lifetime maximums on essential health benefits
 - In-network preventive services covered at 100%
 - Dependents may be covered until age 26
 - Standard Summary of Benefits and Coverage (SBC) templates
 - Emergency care coverage must be the same for in- and out-of-network providers (balance billing may apply to out-of-network providers)

Status by Vendor

- Kaiser Permanente
 - Kaiser confirmed they are in compliance with all applicable market reform and HIPAA requirements
- Blue Shield of California
 - Kaiser confirmed they are in compliance with all applicable market reform and HIPAA requirements
- UnitedHealthcare
 - UHC's plan is self-insured and determination of compliance deferred to HSS for confirmation
 - Aon* indicated agreement of and HSS confirmed compliance with all applicable market reform and HIPAA requirements

* Aon's review is for informational purposes only and is not a substitute for legal advice