

Publications

Applicability of the Embedded MOOP to Large Group and Self-Funded Plans

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SERVICES

Informal guidance from the Department of Labor (DOL) and the Department of Health and Human Services (HHS) (the Departments) has called into question a common practice of high deductible health plans regarding how out of pocket maximums are applied. Generally, where a high deductible health plan offers self and family coverage, the out of pocket maximum for self-only coverage is not applied for individuals who are enrolled in family coverage.

DOL and HHS are now saying informally that typical plan design is no longer permitted by the Affordable Care Act (ACA)—i.e., the maximum self-only limit for HSAs and high deductible health plans must be applied to individuals enrolled in family plans.

Please see the attached memo for further information.

RELATED MATERIALS:

[Applicability of the Embedded MOOP to Large Group and Self-Funded Plans](#)