

Final Rules: Travel and Supplemental Health Insurance as ACA Excepted Benefits

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The federal Departments of Health and Human Services, Labor, and the Treasury (the "**Agencies**") recently issued final regulations which provide criteria for travel insurance and supplemental health insurance coverage to be considered "excepted benefits" and thus exempt from many requirements under the Affordable Care Act (the "**ACA**"). Generally, travel insurance must offer health benefits incidental to other coverage. Supplemental health insurance must cover cost-sharing gaps (such as deductibles) and/or provide benefits for services that are not "essential health benefits" and not covered by primary coverage, and not be supplemental due to coordination of benefits provisions. The final regulations apply to group health plans on the first day of the first plan year beginning on or after January 1, 2017, and are available [here](#).