

Prescription Drug Reporting Deadline Relief

January 5, 2023

PRACTICES Health and Welfare Plans, Employee Benefits and Executive Compensation

A grace period has been announced with respect to the December 27, 2022, deadline to report certain prescription drug and health care spending information for 2020 and 2021, as required under the Consolidated Appropriations Act, 2021. Group health plans and insurers have through January 31, 2023, to make the required submissions. In addition, enforcement action will not be taken against any plan or insurer that uses a good faith, reasonable interpretation of the regulations and instructions in making the submissions.

Many employers will only be making a limited submission of information that is not submitted by the third-party administrators for their group health plans. This relief also provides that if a group health plan or its reporting entity is submitting only the plan list, premium and life-years data, and narrative response, and is not submitting any other data, it may submit the file by email to [\[email protected\]](#) instead of submitting in HIOS. The emailed submission must include the plan list file, premium and life-years data (data file D1), and a narrative response. The submission may include optional supplemental documents. The name of each file should include the reference year of the submission, the plan list or data file type (e.g. P2, D1), and the name of the group health plan sponsor.

FAQ Part 56 can be found here: <https://www.cms.gov/files/document/aca-part-56.pdf>