

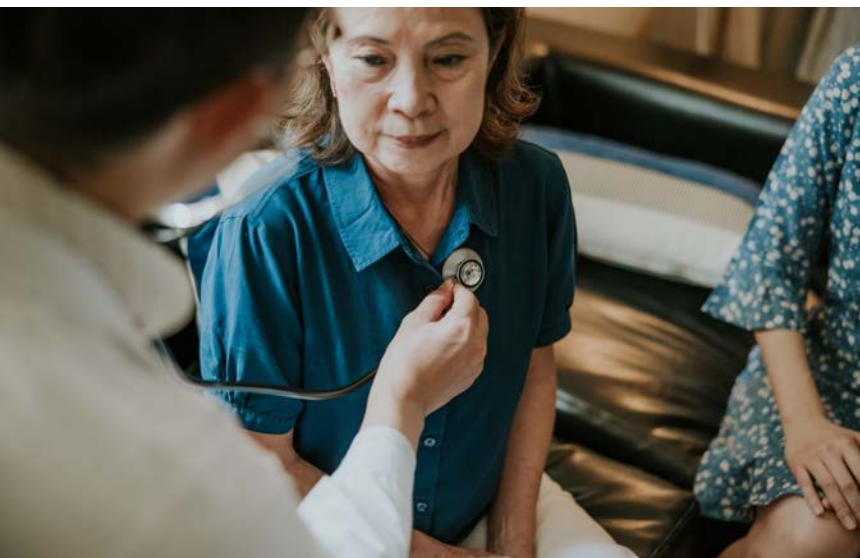
Weekly Digest

• May 25, 2023 •

First Gag Clause Attestations Due December 31, 2023- What Group Health Plan Sponsors Need to Know

“Plan sponsors and carriers of fully insured plans are both required to submit a Gag Clause Prohibition Compliance Attestation (GCPCA). **FAQs Part 57** provide that if the insurance carrier submits the GCPCA on behalf of the plan, the Departments will consider the plan (and insurer) compliant. Sponsors of fully insured plans, however, should confirm that the carrier will be submitting the GCPCA on the plan's behalf.” [Full Article](#)

Hunton Andrews Kurth LLP



Fifth Circuit Stay Reinstates Preventive Services Mandate — For Now

“Plan sponsors should remember that the Fifth Circuit administrative stay is not a decision on the merits of the underlying case. The Fifth Circuit pressed pause on the district court order so that the pre-Braidwood preventive services mandate would remain intact for now while the case proceeds.” [Full Article](#)

Proskauer Rose LLP

In This Digest

PAGE 1

First Gag Clause Attestations Due December 31, 2023- What Group Health Plan Sponsors Need to Know

By, Hunton Andrews Kurth LLP

Fifth Circuit Stay Reinstates Preventive Services Mandate — For Now

By, Proskauer Rose LLP

PAGE 2

IRS Announces 2024 Limits for Health Savings Accounts, High-Deductible Health Plans and Excepted Benefit HRAs

By, McDermott Will & Emery

More Federal Action in the Pharmaceutical Sector as PBM Bill Advances in the Senate

By, Epstein Becker & Green, P.C.

Providers Score More Victories in First Year of NSA Arbitrations

By, ArentFox Schiff LLP

Executive Summary: Tracking Telehealth Changes State-by-State in Response to COVID-19

By, Manatt, Phelps & Phillips, LLP

IRS Announces 2024 Limits for Health Savings Accounts, High-Deductible Health Plans and Excepted Benefit HRAs

"All of the dollar limits currently in effect for 2023 will change for 2024, with the exception of one limit. The HSA catch-up contribution for individuals ages 55 and older will not change as it is not subject to cost-of-living adjustments." [Full Article](#)

McDermott Will & Emery



More Federal Action in the Pharmaceutical Sector as PBM Bill Advances in the Senate

"The Pharmacy Benefit Manager Act reflects the overarching legislative push by members from both sides of the aisle and chambers of Congress to address drug pricing issues through federal fixes to the PBM framework." [Full Article](#)

Epstein Becker & Green, P.C.

Providers Score More Victories in First Year of NSA Arbitrations

"In the year following the implementation of the arbitration process established under the federal No Surprises Act (NSA), more than 330,000 disputes have been submitted for resolution. This figure far outpaces the predictions of the US Departments of Health and Human Services (HHS), Labor, and the Treasury (the Departments), and complicates the implementation of the NSA." [Full Article](#)

ArentFox Schiff LLP



Executive Summary: Tracking Telehealth Changes State-by-State in Response to COVID-19

"Updated May 19, 2023. Descriptive list of current and proposed state and federal guidance, regulations, and legislation." [Full Article](#)

Manatt, Phelps & Phillips LLP