

Publications

# Enforcement Grace Period for Key Aspects of New Claims and Appeals Rules and Additional Rules on Grandfathering, Age 26 Dependent Coverage, Highly Compensated Employees, and other PPACA Requirements

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**SERVICES**

On September 20, 2010, the Departments of Labor (DOL), Health and Human Services (HHS), and Treasury (collectively, the Agencies) released interim guidance establishing an enforcement grace period for key aspects of the new claims and appeal procedure rules under the Patient Protection and Affordable Care Act (PPACA). The interim guidance, titled DOL Technical Release 2010-2, provides that the enforcement grace period will run until July 1, 2011. During this grace period, the Agencies will not take enforcement action against plans and health insurance issuers that are “working in good faith” to implement specific aspects of the new claims and appeals rules.

Additionally, on September 20, 2010, the Agencies issued responses to a number of FAQs concerning regulations that have been issued pursuant to PPACA, including questions relating to maintaining grandfather status, the new claims and appeals rule, coverage of dependent children to age 26, and out-of-network emergency services.

Also, on September 20, 2010, the Internal Revenue Service (IRS) issued Notice 2010-63, requesting comments on the application of Code § 105(h) nondiscrimination rules to insured group health plans and providing information regarding penalties. Please see the attached memo for further information.