

### **Neace Lukens Compliance Observer, 4<sup>th</sup> Quarter Edition**

We hope you find the information in this edition of the Neace Lukens Compliance Observer informative and of value to your organization. This quarter the information covers topics on both the State and the Federal level.

### **Healthcare Reform Provisions: Impact on Ohio Insurance Consumers**

While Health care reform continues to be debated in the Senate we want to provide you with information and links to help you stay apprised on what is happening in Washington. Neace Lukens continues to monitor and stay actively involved so that we can assist you in better understanding the proposed amendments and how it would affect you as an employer and your employees. Almost everyone that you talk to will agree that some type reform in health care is needed. We believe that it is important that any reform focus on delivering a high quality and cost effective system.

The following areas are key decision points that Congress should be debating and including in the final bill:

- Connecting the consumers to the point of service payment. Consumers naturally and quickly direct the costs of products and services.
- Promote incentives / disincentives for healthy behavior to prevent unhealthy lifestyles.
- Automate medical data exchange, thus reducing duplicate medical procedures and reduce medical procedure cost for providers.
- Introduce tort reform.
- Introduce patient warranties.

**LINKS:** [Key Elements of Senate Legislation \(11.19.09\)](#)

[Health Care Reform Proposal Comparison](#)

Write Your Senator: [Click here to take action](#)

We encourage you to get involved and let your voice be heard. Contact your local Senators and let them know where you stand.



### The Genetic Information Nondiscrimination Act of 2008 ("GINA") effective January 1, 2010

The Genetic Information Nondiscrimination Act of 2008 ("GINA") was enacted on May 21, 2008. GINA provides broad protections in employment and health benefits against the improper collection, use or disclosure of employees' genetic information, in part by amending a number of major laws such as ERISA, HIPAA and the IRC. The employment provisions of GINA become effective 18 months after the date of enactment (i.e., **November 21, 2009**), while the provisions targeted at insurers go into effect for plan years beginning one year after the date of enactment (i.e., **May 21, 2009**, but the effective date for calendar year plans is **January 1, 2010**).

Plan sponsors should become familiar with the interim final regulations and review their health plans to be sure they do not inappropriately request or receive genetic information, and evaluate whether any changes are necessary regarding the administration of benefits. Specifically, plan sponsors must review their wellness and disease management programs to ensure that they do not impermissibly collect genetic information, through the use of HRAs or otherwise.

For a copy of GINA, [click here](#) or for a copy of the Regulations, [click here](#)

### COBRA UPDATE

Reminder to all Employers:

As you are aware the ARRA provided nine months of subsidized premiums to eligible COBRA participants. Those who received their first subsidized premium in March of 2009 have approached their official end of subsidy. What does this mean to you as the employer? Most likely you will have an increase in calls from those participants who will receive their first full bill this month. Many may have forgotten that the subsidy was merely a temporary aid. We just want to give you a reminder of why their premiums may have gone up and help you prepare for this.

Unless there is a change, the subsidy program will end on December 31, 2009, for any new COBRA or state continuation applicants. Assuming there is no extension, the final wave of the nine-month subsidy period will end on September 30, 2010.

The government is currently considering an extension of the subsidy beyond the program's December 31, 2009, end date. We are monitoring this possibility. If there are any changes or an extension to the subsidy law, we will communicate that as soon as possible.

*If you should have any questions about any of the information contained in this edition of the Compliance Observer please contact your Neace Lukens representative for further review.*

