

STATE OF WISCONSIN Department of Employee Trust Funds

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CORRESPONDENCE MEMORANDUM

DATE: April 30, 2014

TO: Group Insurance Board

FROM: Tara Pray, Manager, Life Insurance & Employee Reimbursement Account

Programs

Mary Statz, Director, Health Benefits & Insurance Plans Bureau

SUBJECT: High Deductible Health Plan / Health Savings Accounts

Staff requests the Group Insurance Board (Board) approve the following recommendations related to the administration, eligibility, and design of the High Deductible Health Plan (HDHP) and Health Savings Accounts (HSAs).

Staff and the Group Insurance Board Strategic Planning Workgroup (Workgroup) have researched and reviewed policy considerations related to the development of the HDHP and HSAs. Based on this effort, as well as information presented by the Board's consulting actuary, Deloitte Consulting LLP (Deloitte), staff recommends the following policies for the new HDHP/HSA offering effective January 1, 2015.

HSA Administration

Staff recommends the administration of the HSA be performed by a single vendor.

A Request for Proposal (RFP) for this service and/or an Employee Reimbursement Account (ERA) vendor was issued April 3, 2014. Staff will recommend a vendor(s) to the Employee Trust Funds Board at the June 26, 2014 meeting.

As an alternative to contracting with a single vendor, existing health plans could be required to administer HSAs for their members. However, staff believes that issues with funding and coordination of HSAs as members move between plans make this approach too difficult to administer efficiently.

HDHP and **HSA** Eligibility

Lisa Ellingie

Reviewed and approved by Lisa Ellinger, Administrator, Division of Insurance

Electronically Signed: 05/08/2014

Board Mtg Date Item #

GIB 5.21.14 4B1+

According to the Internal Revenue Service, individuals are eligible to participate in an HSA arrangement if they meet all four of the following qualifying criteria:

- 1) they are enrolled in a specifically-qualified HDHP
- 2) they are not covered by another disqualifying health plan
- 3) they are not eligible for Medicare benefits
- 4) they are not a dependent of another person for tax purposes

Staff interprets the statutory reference to "all employees" in reference to the offering of the HDHP and HSA in §40.515(1), to mean all employees who are otherwise eligible to participate in the State of Wisconsin Group Health Insurance Program.

Staff recommends the following clarifications and exclusions pertaining to HDHP/HSA participation.

- State employees, including domestic partners and non-tax dependent adult children less than 26 years old (see below regarding HSA eligibility for domestic partners and non-tax dependent adult children) are eligible.
- Annuitants under the age of 65 are eligible.

Note: This option may be attractive to annuitants not eligible for Medicare. ETF occasionally receives requests from this group, asking for a lower-cost health insurance plan option.

 Limited Term Employees (LTEs) eligible for the State of Wisconsin Group Health Insurance Program are eligible.

According to a legal opinion from the Office of State Employment Relations (OSER), the statute requires this offering be made available to LTEs currently eligible for health insurance. ETF's legal counsel concurs with this opinion.

Note: The LTE's share of HDHP premium and the LTE's HSA contribution may NOT be deducted pre-tax. This is because pre-tax deductions are administered through the State of Wisconsin's Section 125 Cafeteria Plan, under which they are ineligible to participate per §230.26(4).

Local employees will have an HDHP offering available.

The HDHP should be offered to local employees as a separate program option. Local employers would have the option of establishing their own HSA or Health Reimbursement Account (HRA) administration, but would not be eligible to participate in the HSA program offered to state employees.

 Eligible state employees will be allowed an annual open enrollment opportunity to select between the HDHP and other benefit options, such as Uniform Benefits or the Standard Plan.

A goal in this new offering is to provide employees with increased options and flexibility related to health benefits. Therefore, staff does not recommend impeding flexibility in opting into or out of the HDHP.

Eligible individuals will be allowed to enroll in the HDHP and HSA mid-year
if they are a new hire or experience a HIPAA or Section 125 qualifying life
event (i.e., marriage, birth of a child). Staff recommends OSER consider
prorating the HSA employer contribution for mid-year elections.

The HDHP and HSA should be offered to eligible employees throughout the year. This practice would be consistent with how health benefits are currently administered. There is no waiting period and new eligible employees may enroll for single or family coverage in any of the available health plans. Additionally, subscribers are allowed to change health plans when they have a qualifying life event if they apply within 30 days of the event.

Prorating any employer HSA contributions would avoid inequity issues if an individual enrolls in the program later in the year.

 The single or family employer HSA contribution will be based on the type of HDHP (single vs. family) the subscriber is eligible for and in which they are enrolled.

Staff research has found that a common practice among employers is to fund the employer HSA contribution based on the type of HDHP coverage (single vs. family) selected. This approach is consistent with IRS treatment of HSA contribution limits. It also eliminates the administrative burden of tracking domestic partners and non-tax dependent children related to employer HSA contributions. All HSA literature will contain a notice that under current IRS regulations, HSA funds may only be used to pay for eligible medical expenses of the account holder and their tax dependents without tax consequences or penalty.

The Patient Protection and Affordable Care Act (PPACA) allows parents to cover their adult children under their insurance plan until the child is 26 years old. For HSA purposes, the IRS treats domestic partners and non-tax dependent adult children covered by an HDHP in the same manner.

HSA domestic partner and non-tax dependent adult child IRS rules:

Using HSA funds:

 Subscribers can only use their HSA funds for the medical expenses of their domestic partner if the domestic partner is considered a tax dependent.

Contribution limits:

- Per IRS rules, the HSA contribution limit is established based upon the type of HDHP coverage in place. Therefore, if a subscriber covers their domestic partner with the HDHP, the family HSA contribution limit applies.
- The subscriber's domestic partner could open their own HSA outside of the State sponsored program if they are not a tax dependent of the subscriber. Under IRS rules, each domestic partner or non-tax dependent adult child may open separate HSAs and, if covered under a family HDHP, they each have a contribution limit of \$6,550 (this is the family limit for 2014, the family contribution limit for 2015 is \$6,650).
- Eligible employees/annuitants must first be enrolled in an HDHP to be allowed to enroll in an HSA.

Under IRS rules, an individual must be enrolled in an eligible HDHP to be eligible to contribute to an HSA.

 HSA eligible employees/annuitants must also be enrolled in the statesponsored HSA in order to receive any employer contributions and also to contribute pre-tax dollars via payroll deduction.

It is possible that employees/annuitants could have an open HSA that was established prior to being covered by the State Group Health Insurance Plan. A primary benefit of an employer sponsored HSA is ease of administration. It could be an administrative burden to require employers to contribute to an HSA custodian of the employee's choosing.

Staff recommends the following groups be considered <u>ineligible</u> for the HDHP/HSA option:

• Medicare eligible annuitants 65 and older.

The State of Wisconsin Group Health Insurance Program currently requires retired subscribers who are 65 and older to enroll in Medicare. Those enrolled in Medicare are not eligible to contribute to an HSA, per IRS rules.

• Those eligible for the Graduate Assistant coverage under the State of Wisconsin Group Health Insurance Program. Graduate Assistants include:

Research Assistants, Fellows, Advanced Opportunity Fellows, Scholars, Trainees, Teaching Assistants and Project/Program Assistants.

The Graduate Assistant health insurance premiums are approximately 50% less than the current "regular" employee premiums. Research conducted and presented by Deloitte at the March 18, 2014 Workgroup meeting found that HDHPs are currently not offered to Graduate Assistants of the Big 10 colleges.

At this time, ETF staff is discussing the eligibility recommendation with the University Of Wisconsin to make sure that it is compliant with §40.52(3).

HDHP Design

Staff recommends the following design:

 The HDHP design will be part of the Uniform Benefit Changes section of the Guidelines Memo for the 2015 benefit year and mirrors Uniform Benefits whenever possible.

Staff believes it is important to maintain consistency in the health benefit structure once the deductible is reached so that those eligible to participate in the HDHP and HSA are able to compare benefit offerings to make health care decisions for themselves and their families. This consistency will also aid employers in explaining health benefit offerings to new employees, and will provide for ease developing clear communication and educational materials for subscribers.

The HDHP will have a "non-embedded" family deductible.

An embedded deductible under a family plan means there are two kinds of deductibles: one for the family as a whole, and one for each individual family member. Deloitte suggests that embedded deductibles are rare and did not price the plan to include them. This recommendation means that one family deductible will apply for family plans.

 Uniform Dental will be part of the HDHP and covered dental services will be subject to the deductible--with the exception of pediatric dental.

PPACA requires pediatric dental benefits to be considered an "Essential Health Benefit" and not be subject to any deductibles. Since Essential Health Benefits are embedded within Uniform Benefits and we do not currently have a standalone dental plan, all non-pediatric dental benefits will be subject to the deductible.

Preventive drugs will be available on a "first dollar basis" for the HDHP.

PPACA requires preventive drugs to be available on a first dollar basis for HDHPs -- meaning the deductible need not be met first for insurance coverage to take effect. The attached document contains the list of recommended preventive drugs to be covered under this provision. The list contains the standard drugs that Navitus considers preventive with other client HDHPs.

Staff recommends OSER consider the following approach to determining the employee share of the premiums:

- HDHP premiums for Tier 1 plans should be based on a percentage of the employee share of the traditional health insurance premiums.
- HDHP premiums for Tier 2 and Tier 3 plans, including the Standard Plan, should be based on a dollar differential approach vs. the percentage differential recommended for Tier 1 plans.

This recommendation is based on Deloitte's analysis presented at the April 16, 2014 Workgroup meeting. Deloitte concluded that offering the HDHP with premiums priced as a percentage differential could result in an unintended incentive to opt into a Tier 2 or Tier 3 plan. The primary objective of our current tiering structure is to incent subscribers to choose a Tier 1 health plan.

HSA Administration Fees

Staff recommends the per-participant, per- month (PPPM) HSA administrative fees, as well as any additional custodian/bank fees related to the establishment and ongoing maintenance of an HSA for active employees, be passed on to employers. Staff recommends this funding be generated through the current method of allocating administrative costs related to the Employee Reimbursement Accounts (ERA) Program. The current ERA administrative costs are assessed via a line item on the health insurance invoice at \$0.80 per health insurance contract. This fee is not built into the health insurance premium.

The HSA third party administrator will assess a PPPM fee for administration of the accounts. There will also likely be an account establishment one-time fee and an account monthly maintenance fee assessed by the custodian/bank for each HSA. Custodian/bank fees can be paid by the employer or the employee. It is a common practice for employers to pay these fees while an employee is active. Typical one-time account establishment fees range from \$10 - \$25, and the account maintenance fees typically range from approximately \$18 - \$48 per participant per year.

Staff believes the custodian/bank fees are included under the purview of administrative costs outlined in Wis. Stat. §40.515(3), which states that, "The group insurance board

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may collect fees from state agencies to pay all administrative costs relating to the establishment and operation of health savings accounts established under this section. The group insurance board shall develop a methodology for determining each state agency's share of the administrative costs."

Staff recommends that HSA participants who terminate State employment or retire be held responsible for paying all ongoing custodial fees after termination/retirement.

Staff recommends that employers not pay additional fees incurred from the custodian/bank, beyond an account establishment one-time fee and an account monthly maintenance fee. Additional custodial fees could include such fees as:

- Account closing fee
- Investment fee
- Overdraft fee
- Account rollover fee

OSER and Department of Administration Responsibilities

HDHP/HSA issues that are under the purview of OSER and/or the Department of Administration include:

- Level of HSA funding
- Level of HDHP employee premium contribution
- Payment of HSA custodian/bank fees
- Timing of HSA deposits

Staff will be at the Board meeting to answer any questions.

Attachment: Navitus Health Solutions High Deductible Health Plan Preventive Drug List



High Deductible Health Plan Preventive Drug List

Your employer is making an effort to reduce your health care costs by giving you tools to help you stay healthy and productive. Below are the medications your employer has chosen to be included in the High Deductible Health Plan Preventive Drug list described in detail in your benefit plan. These medications help protect against or manage some high risk medical conditions. Taking these medications as directed by your prescriber can help avoid serious health problems. That may mean fewer doctor visits and hospitalizations, reducing your total health care costs.

In the drug list below, generic drugs begin with a lowercase letter. Brand name drugs begin with an uppercase letter.

ANTIANGINAL AGENTS

DILATRATE SR

DILTRATE SR CAP

isosorbide dinitrate cap

isosorbide dinitrate sI tab

isosorbide dinitrate tab

isosorbide mononitrate

isosorbide mononitrate ER tab

NITRO-BID OINT.

NITRO-DUR PATCH

nitroglycerin cap

nitroglycerin patch

nitroglycerin SL tab

NITROLINGUAL PUMPSPRAY

NITROMIST AEROSOL

NITROSTAT SL TAB

RANEXA TAB

ANTIARRHYTHMICS

amiodarone tab

disopyramide cap

disopyramide ER cap

flecainide tab

MEXILETINE CAP

MULTAQ TAB

NORPACE CR CAP

PACERONE TAB

propafenone er

propafenone tab

quinidine gluconate CR tab

QUINIDINE SULFATE ER TAB

quinidine sulfate tab

RYTHMOL SR

TIKOSYN CAP

ANTIDIABETICS

acarbose

ACTOPLUS MET

ACTOPLUS MET XR

ACTOS

APIDRA

Note: The list is subject to change and not all drugs listed may be covered on your formulary. Please refer to your Navitus formulary for a complete list of covered products.





AVANDAMET JUVISYNC TAB AVANDARYL KOMBIGLYZE

AVANDIA LANTUS (SOLOSTAR)

BYDUREON LEVEMIR
BYETTA metformin

chlorpropamide metformin ER tab

CHLORPROPAMIDE TAB nateglinide

CYCLOSET NOVOLIN INNOLET
DIABETA NOVOLIN PENFILL
DUETACT NOVOLIN VIAL
FORTAMET TAB NOVOLOG

glimepiride NOVOLOG MIX 70/30

glipizide ONGLYZA

glipizide er pioglitazone tab

glipizide/metformin pioglitazone/metformin tab

GLUCAGEN HYPOKIT PRANDIMET
GLUCAGON KIT PRANDIN
glyburide PROGLYCEM
glyburide micronized RELION MIX
glyburide/metformin RELION N

GLYCRON RELION R GLYSET RIOMET SOLN.

HUMALOG MIX tolazamide
HUMULIN 50/50 TOLBUTAMIDE
HUMULIN MIX TRADJENTA TAB
HUMULIN N U-100 VICTOZA INJ.

HUMULIN PEN ANTIHYPERLIPIDEMICS

HUMULIN R INJ U-500 ADVICOR TAB
HUMULIN-R U-100 ALTOPREV TAB
INSULIN SYRINGES ANTARA CAP

JANUMET atorvastatin tab

JANUMET XR TAB cholestyramine lite powder

JANUVIA cholestyramine lite powder pack

JENTADUETO TAB cholestyramine powder



cholestyramine powder pack

colestipol granule

colestipol powder packet

colestipol tab CRESTOR TAB fenofibrate cap

fenofibrate tab

FIBRICOR TAB fluvastatin cap gemfibrozil tab

LESCOL CAP

LIVALO LOFIBRA

lovastatin tab LOVAZA CAP

NIASPAN ER TAB pravastatin tab

SIMCOR TAB

simvastatin tab TRICOR TAB

TRILIPIX CAP

VYTORIN

WELCHOL PAK WELCHOL TAB

ZETIA TAB

ANTIHYPERTENSIVES

ALTACE TAB

amlodipine/benazepril cap

AMTURNIDE ATACAND HCT

ATACAND TAB

atenolol/chlorthalidone

AVALIDE TAB

AVAPRO TAB

AZOR TAB

benazepril tab

benazepril/hctz tab

BENICAR HCT TAB

BENICAR TAB

bisoprolol/hctz tab

captopril tab

CAPTOPRIL/HCTZ TAB

CATAPRES-TTS PATCH

clonidine patch clonidine tab

COZAAR TAB

DIBENZYLINE CAP

DIOVAN HCT TAB

DIOVAN TAB

doxazosin tab

DUTOPROL TAB

EDARBI

EDARBYCLOR

enalapril tab

enalapril/hctz tab

eplerenone tab

eprosartan mesylate tab

EXFORGE HCT TAB

EXFORGE TAB

fosinopril tab

fosinopril/hctz tab

GUANABENZ TAB

guanfacine tab

hydralazine tab

HYDRALAZINE/ HCTZ CAP

HYZAAR TAB

irbesartan tab

irbesartan/ hctz tab

lisinopril



lisinopril/hctz losartan tab losartan/hctz tab

methyldopa tab methyldopa/hctz tab

metoprolol/hctz tab minoxidil tab

moexipril tab
moexipril/hctz
nadolol/bend tab
NEXICLON XR SUSP
NEXICLON XR TAB
perindopril tab
prazosin cap

propranolol/hctz tab

quinapril tab quinapril/hctz ramipril cap RESERPINE TAB TARKA TAB TEKAMLO TAB

TEKTURNA HCT TAB TEKTURNA TAB

terazosin cap TEVETEN HCT TAB TEVETEN TAB

trandolapril

trandolapril/verapamil tab

TRIBENZOR TAB TWYNSTA TAB VALTURNA TAB

ANTINEOPLASTICS AND ADJUNCTIVE THERAPIES

anastrozole tab exemestane

letrozole tab ZYTIGA

BETA BLOCKERS

acebutolol cap
atenolol tab
betaxolol tab
bisoprolol tab
BYSTOLIC
CARTROL
carvedilol tab
COREG CR CAP
INNOPRAN XL CAP

labetalol tab
LEVATOL TAB
metoprolol ER tab
metoprolol tab
nadolol tab
pindolol tab

propranolol ER cap PROPRANOLOL SOLN

propranolol tab sotalol AF tab sotalol tab

timolol maleate tab

CALCIUM CHANNEL BLOCKERS

amlodipine tab
CARDENE SR CAP
CARDIZEM CD CAP
CARDIZEM LA TAB
COVERA-HS TAB
diltiazem ER cap
diltiazem tab
DYNACIRC CR TAB
felodipine ER tab

isradipine cap



matzim LA tab
nicardipine cap
NIFEDIPINE CAP
nifedipine ER tab
nimodipine cap
nisoldipine tablet

SULAR TAB
verapamil er
verapamil er cap
verapamil sr
verapamil sr tab
VERAPAMIL TAB

CARDIAC GLYCOSIDES

digoxin

CARDIOVASCULAR AGENTS - MISC.

AMLODIPINE/ ATORVASTATIN TAB

CADUET

apri

CONTRACEPTIVES

AMETHYST TAB

aranelle
aviane
balziva
BEYAZ
cesia
cryselle
ELLA
enpresse
FEMCON FE

jolessa tab/amethia tab

junel fe junel tab kariva kelnor

LO LOESTRIN

LOESTRIN 24 FE LOSEASONIQUE mononessa NATAZIA necon

necon tab 1/50 next choice nora-be

NORINYL TAB 1/50

NUVARING OGESTREL

ORTHO TRI-CYCLEN LO

ORTHO-EVRA OVCON 50 PLAN-B

tri lo-sprintec tri-legest trinessa YASMIN YAZ

zeosa

DIAGNOSTIC PRODUCTS

ACCU-CHEK METERS ACCU-CHEK TEST STRIPS

CLINISTIX

FREESTYLE METERS
FREESTYLE TEST STRIPS

KETO-DIASTIX KETOSTIX LANCETS

PRECISION METERS

PRECISION XTRA TEST STRIPS

DIURETICS

acetazolamide cap



acetazolamide tab

ACETAZOLAMIDE TAB 125MG

ALDACTAZIDE TAB amiloride tab

amiloride tab amiloride/hctz tab bumetanide tab chlorothiazide tab chlorthalidone tab DIURIL ORAL SOLN. DYRENIUM CAP EDECRIN TAB

furosemide oral soln FUROSEMIDE SOLN

furosemide tab

hydrochlorothiazide cap hydrochlorothiazide tab

indapamide tab methazolamide tab

METHYLCLOTHIAZIDE TAB

metolazone tab spironolactone tab

spironolactone/hctz tab

THALITONE TAB torsemide tab

triamterene/hctz cap triamterene/hctz tab

HEMATOLOGICAL AGENTS - MISC.

AGGRENOX CAP anagrelide cap BRILINTA TAB cilostazol tab

clopidogrel tab 75mg dipyridamole tab

EFFIENT TAB

pentoxifylline ER tab

PLAVIX 75mg TAB ticlopidine tab

LAXATIVES

ACTONEL TAB

ACTONEL W/ CALCIUM TAB

alendronate tab ATELVIA TAB

calcitonin nasal spray

etidronate FORTEO

FORTICAL SPRAY FOSAMAX SOLN. ibandronate tab MIACALCIN INJ

MINERALS & ELECTROLYTES

FLUORABON SOLN. FLUOR-A-DAY TAB

GALZIN CAP

KLOR-CON M15 CAP

KLOR-CON POWDER 25MEQ

K-PHOS TAB

phospha 250 neutral tab

potassium bicarbonate effer tab potassium chloride effer tab potassium chloride ER cap potassium chloride ER tab potassium chloride liquid potassium chloride micro cap

potassium chloride powder packet sodium fluoride chew tab

sodium fluoride soln.
SODIUM FLUORIDE TAB

SSKI SOLN. zinc sulfate cap



MOUTH/THROAT/DENTAL AGENTS

chlorhexidine gluconate

PREVIDENT

PREVIDENT 5000 PLUS

PREVIDENT ORAL RINSE

sodium fluoride cream

sodium fluoride gel

SODIUM FLUORIDE GEL PLAIN

sodium fluoride paste

sodium fluoride rinse

sodium fluoride-potassium nitrate paste

triamcinolone in orabase

SMOKING CESSATION

bupropion (smoking deterrent)

buproban

CHANTIX

nicotine gum

NICOTINE KIT

nicotine lozenge

nicotine patch

NICOTROL INHALER

NICOTROL NASAL SPRAY

VACCINES

CERVARIX INJ.

ENGERIX B INJ

ENGERIX B INJ.

FLUMIST NASAL

FLUVIRIN INJ.

FLUVIRIN PF INJ.

FLUZONE HIGH DOSE PF INJ.

FLUZONE INJ.

FLUZONE INTRADERMAL

GARDASIL INJ.

HAVRIX INJ.

MENACTRA INJ.

MENHIBRIX INJ.

MENOMUNE INJ.

MENVEO INJ.

MMR INJ.

PNEUMOVAX INJ.

RECOMBIVAX HB INJ.

TWINRIX INJ.

VAQTA INJ.

VARIVAX INJ.

VIVOTIF

ZOSTAVAX INJ.

VITAMINS

PRENATAL VITAMIN