

Weekly Digest

• March 18, 2022 •

President Continues COVID Extensions

“President Biden has extended the COVID-19 National Emergency, which was declared on March 13, 2020, and was scheduled to end March 1, 2022. This latest extension of the National Emergency is expected to last for at least one year. Extending the National Emergency also extends temporary delays of certain deadlines applicable to group health plans.” [Full Article](#)

The Wagner Law Group



Health Plan Transparency and the Case for Welfare Plan Fiduciary Committees

“The Consolidated Appropriations Act, 2021 adopted a series of transparency requirements that apply to employer-sponsored group health plans. A subset of these transparency requirements, while not likely well suited to class action claims, will nonetheless prove vexing. Provisions relating to mental health parity seem perfectly designed to attract class actions claims. The motherlode for the plaintiffs' bar however is in the broker/consultant compensation disclosure rules.” [Full Article](#)

Mintz

EMPLOYEE
BENEFITS

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Texas District Court Vacates Arbitration Provisions of HHS Regs Under No Surprises Act

“The court held that the arbitration procedures of the rule conflicted with the express terms of the No Surprises Act in violation of the Administrative Procedures Act (APA). This decision, while a ‘win’ for providers, leaves the details of the arbitration process under the Act uncertain for now, as the agencies presumably go back to the proverbial drawing board.” [Full Article](#)

ArentFox Schiff LLP

Implications of Hospital Price Transparency on Hospital Prices and Price Variation

“This brief offers perspectives on factors contributing to hospital pricing and price variation, discusses potential stakeholder uses and impacts of emerging transparency data, and offers an actuarial perspective on emerging transparency requirements.” [Full Article](#)

American Academy of Actuaries



Feds Clarify At-Home COVID-19 Test Coverage Rules

“The original guidance left several questions unanswered concerning delivery of at-home tests and what effect shortages of tests might have on plan sponsors. The [February 4 FAQs](#) outline how plans can comply with the original mandate but grant latitude to deal with testing kit scarcity and other issues.” [Full Article](#)

Fisher Phillips



Variation in Patients' Use Of, Experiences With, and Access to Telehealth During the First Year of the COVID-19 Pandemic

“During the first year of the pandemic, 37.4 percent of nonelderly adults and 46.2 percent of elderly adults had at least one telehealth. Publicly insured nonelderly adults were more likely to have had a phone visit, as opposed to a video visit, than those with private insurance, which may reflect differences in patient access to video technology or the telehealth modalities insurers cover.” [Full Article](#)

Urban Institute