



Included in the new CARES Act that was signed into law on 3/27/20, were some changes to those items that are eligible for Flexible Spending Accounts and HRAs. Those changes include making over the counter medicines and drugs eligible without any additional documentation necessary. Previously a person needed to have a prescription from a doctor even if they were purchasing an item over the counter. This change does **not** apply to vitamins/minerals/herbs/supplements. Those will still require a letter of medical necessity in order to be eligible. Additionally, menstrual care products have now been classified as eligible. The CARES Act specifically identifies tampons, pads, liners, cups and sponges items that are eligible.

The CARES Act states these changes are retroactive, and apply to those items that were purchased on/after January 1, 2020.

If your plan offers a debit card, it's important to remember that even though CARES Act was signed into law on 3/27/20, it will take time for retailers to make the changes to their inventory systems. If the health debit card does not work at the point of sale, participants can purchase the item using some other form of payment, and submit a claim for reimbursement.

Please be reminded that a change in the amount of medical expenses a participant can/will incur is **not** a qualifying change in status allowing changes to medical Flexible Spending Accounts. The fact that over-the-counter medicines/drugs are now eligible when they had previously not been eligible, does not allow for a change to the original plan year election. Likewise, incurring fewer expenses because of cancelled medical/dental/vision appointments, also does not allow for a change.