What you should know about Essential Health Benefits

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The intent of Federal Health Care Reform is to provide health care coverage to the largest number of individuals possible in the most affordable way. Virginia's Health Benefit Exchange will be a vehicle for this coverage.

- It makes sense when choosing a benchmark plan for the Virginia Health Benefit Exchange to choose a plan that covers all required benefits but does not add more costly benefits.

- It is also important to remember that the Essential Health Benefits set the minimum benefits for outside the Exchange as well. Another reason to be mindful of cost.

- By Fall of 2012, states must choose a benchmark plan from 4 specific options or a default plan becomes the benchmark plan.

- The default plan is the state's largest plan in any of the 3 largest small group plans. In Virginia, Anthem has 2 plans and Optima Health Plan has the other. Since they are virtually the same, the benchmark plan discussed is the Anthem Small Group PPO plan.

- VAHP supports having the Anthem Small Group PPO plan as Virginia's benchmark plan.

- Adding additional services to those already mandated by law will have significant cost impact, making health insurance beyond reach for many.

Additional benefits mentioned in the PwC report should not be added. They include:

- applied behavior analysis
- surgical treatment for morbid obesity
- in-vitro fertilization
- acupuncture
- hearing aids

The General Assembly has considered and rejected mandating these benefits in the individual and small group markets.

Facts About Pregnancy Discrimination

The Pregnancy Discrimination Act amended Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII, which covers employers with 15 or more employees, including state and local governments. Women who are pregnant or affected by pregnancy-related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

Title VII's pregnancy-related protections include:

Health Insurance

Any health insurance provided by an employer must cover expenses for pregnancy-related conditions on the same basis as costs for other medical conditions. An employer need not provide health insurance for expenses arising from abortion, except where the life of the mother is endangered.

The amounts payable by the insurance provider can be limited only to the same extent as amounts payable for other conditions. No additional, increased, or larger deductible can be imposed.

Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees.

The chart shows Virginia's mandated benefits; how these mandates fit into the required coverage categories; additional benefits offered in the benchmark plan that satisfy the requirements for coverage in categories where no Virginia mandates apply; and information on additional services that will need to be offered based on federal guidance on how these services will be determined.

The Anthem Small Group PPO plan offers services beyond those mandated in Virginia, including pediatric dental and vision preventive services and coverage for Durable Medical Equipment; Lab services; Preventive and Wellness services.

Since Virginia is consistently in the top 5 to 7 states with the highest number of insurance mandates, the benchmark plan currently offers comprehensive benefits.

Essential Health Benefits
Recommended Virginia Benchmark Plan

Benefit Category	Applicable VA Mandate(s)	Benchmark Plan Benefits	Supplemental Benefits Needed	Suggestions/Comments
Ambulatory Patient Services	§38.2-3418.2 – Bone/Joint Coverage TMJ Procedures §38.2-3418.3 – Hemophilia & Congenital Bleeding Disorders §38.2-3418.8 – Clinical Trials for Cancer §38.2-3418.10 – Diabetes Coverage §38.2-3418.11 – Hospice Care §38.2-3418.12 – Hospitalization for Anesthesia & Dental Procedures – Outpatient Services §38.2-3418.16 – Telemedicine services	Medically necessary provider visits and outpatient services – includes coverage for the applicable mandates	N/A	N/A
Emergency Services	N/A for PPOs	Emergency services in the event of a true emergency	N/A	N/A
Hospitalization	§38.2-3418.2 – Bone/Joint Coverage TMJ Procedures §38.2-3418.3 – Hemophilia & Congenital Bleeding Disorders §38.2-3418.4 – Reconstructive Breast Surgery §38.2-3418.6 – Minimum Hospital Stay Mastectomy/Lymph Node Dissection Patients §38.2-3418.8 – Clinical Trials for Cancer §38.2-3418.9 – Minimum Hospital Stay for Hysterectomy §38.2-3418.12 – Hospitalization for Anesthesia & Dental Procedures – Inpatient Services	Medically necessary inpatient services - includes coverage for the applicable mandates	N/A	N/A

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Maternity and Newborn Care	§38.2-3407.16 – Obstetrical Care – Nondiscriminatory §38.2-3414 – Optional Coverage for Obstetrical Services §38.2-3414.1 – Obstetrical Benefits – Coverage for Postpartum Services §38.2-3411 – Newborn Child Coverage	Coverage for mandated services including the mandated offer for Obstetrical Care	N/A	N/A
Mental Health & Substance Use Disorder, including Behavioral Health Treatment	§38.2-3412.1 – Coverage for Mental Health Services for Individuals and Groups of 25 or less §38.2-3412.1:01 – Coverage for Biologically Based Mental Illness	Coverage for services according to MHPAEA and the Biologically Based Mental Illness mandate	N/A	Per CMS FAQ on Essential Health Benefits Bulletin, it is expected that the benchmark plan will include Mental Health Parity in compliance with MHPAEA.
Prescription Drugs	§38.2-3407.5 – Denial of Certain Prescription Drugs Prohibited §38.2-3407.5:1 – Prescription Contraceptives §38.2-3407.6:1 – Denial of Benefits for Certain Prescription Drugs Prohibited §38.2-3407.9:01 – 3407.9:02 - Prescription Drug Formularies	VA does not mandate coverage of Prescription Drugs but if they are covered, the mandates apply and these are all covered under the benchmark plan	N/A	Rx benefit should means that there must be a PDL and that all mandates are met; however, not require adherence to the exact PDL as the benchmark plan.

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Rehabilitative & Habilitative Services and Devices	§38.2-3418.5 - Early Intervention Services §38.2-3418.14 – Coverage for Lymphedema §38.2-34.18.15 – Mandated Offer for Coverage of Prosthetic Limbs	Plan covers E/I Services and other mandated benefits. Coverage for Prosthetic Devices goes beyond mandated offer and covers all medically necessary Prosthetic Devices Coverage of Short Term Rehabilitative Therapies subject to visit limits. Plan includes coverage for manipulation therapy such as chiropractic care	E/I Services without the $5,000 cap. Habilitative Services in same manner as Rehabilitative Services covered.	Habilitation is defined by Mosby's Medical Dictionary, 8th edition. © 2009, Elsevier as the process of supplying a person with the means to develop maximum independence in activities of daily living through training or treatment.
Laboratory Services	N/A	Coverage for all medically necessary in and outpatient Lab Services	N/A	N/A
Preventive & Wellness Services and Chronic Disease Management	§38.2-3411.3 – Coverage for Childhood Immunizations §38.2-3411.4 – Coverage for Infant Hearing Screening & Audiological Examinations §38.2-3418.1 – Mammograms §38.2-3418.1.2 – Pap Smears/ Gynecologic Cytology Screening §38.2-3418.7 – PSA Testing & Digital Exams §38.2-3418.7:1 – Colorectal Cancer Screening	All plans cover extensive Preventive Services as required and defined by the ACA. Benchmark plan covers all applicable mandates. Chronic Disease Management – covered in order to be accredited by NCQA and for HEDIS purposes	N/A	Those carriers that are accredited by a nationally recognized quality organization such as NCQA and URAC may meet the Chronic Disease Management requirement in order to obtain and maintain accreditation.
Pediatric Services, including Oral and Vision Care	N/A	Routine Vision Care	Benefits comparable to the FAMIS Smiles for Children program for Oral Care. FEDVP for vision benefits	Smiles for Children benefits for the Oral Care.