



Effective 1/1/2011 Over-the-Counter drugs and medications will only be FSA eligible with a doctor's prescription. Other OTC products continue to be eligible.

In March 2010, Congress passed the Patient Protection and Affordable Care Act ("PPACA"). The new law requires a prescription for FSA reimbursement of over-the-counter medications and drugs (including Tylenol, Advil, Claritin, and cough medicines). The change takes effect on January 1, 2011.

Note: The new rule does not affect non-drug over-the-counter items or insulin, all of which are still fully reimbursable without a prescription. The non-drug over-the-counter items that continue to be reimbursable without a prescription include bandages, contact lens solution, diagnostic devices, and many others.

Can I use my EBPA Benefits Card to purchase over-the-counter (OTC) drugs after 12/31/10?

Yes, if you have a prescription for your OTC medicines and drugs, you may use your EBPA Benefits Card to purchase these items at pharmacies and from mail order and web-based vendors that sell prescription drugs. The process is as follows: the prescription is presented to the pharmacist; the medication is dispensed by the pharmacist and given an RX number. Payment is made via the EBPA Benefits Card or other form of payment.

If I do not use the EBPA Benefits Card, how do I manually submit my over-the-counter medicines or drugs with a prescription to EBPA so that I can be reimbursed from my Health FSA after 1/1/11?

You should provide (1) a copy of the prescription; (2) an itemized receipt or valid documentation for the over-the-counter item(s) purchased; and (3) a properly completed FSA Claim Form. This information can be mailed, faxed or submitted online through EBPA's Secure Document Submission Portal.

How does this new law affect over-the-counter medical devices and supplies?

The new law does not apply to items for medical care that are not medicines or drugs. Thus, medical items, supplies, and equipment that are available over-the-counter and are not drugs will continue to qualify for reimbursement without a prescription. These items include, but are not limited to, crutches, bandages, contact lens solution, diagnostic devices, and many other over-the-counter products.

I currently use my Health FSA for reimbursement of co-pays, deductibles, prescription drugs, and dental and vision expenses. Will I still be able to be reimbursed for those expenses from my Health FSA after 12/31/10?

Yes, you will still be able to be reimbursed for those expenses from your Health FSA after 12/31/10. All other eligible Health FSA expenses continue to be reimbursable. There is no change affecting prescription drugs, co-pays, deductibles, or dental or vision expenses.

Please visit our website at www.ebpabenefits.com for a sample list of FSA eligible OTC products effective 1/1/2011. If you have any questions about what OTC expenses are eligible for reimbursement under FSA or how this change affects you, you may also contact EBPA's Customer Service at 1-888-678-3457.