

GUIDELINES FOR THE USE OF FLEXIBLE SPENDING ACCOUNT (FSA) AND HEALTH REIMBURSEMENT ACCOUNT (HRA) FUNDS TO PURCHASE OVER THE COUNTER (OTC) PRODUCTS AFTER January 1, 2011

The recently enacted Patient Protection and Affordable Care Act of 2010 has changed the rules for the purchase of over the counter (OTC) products using your Flexible Spending Account (FSA) or Health Reimbursement Arrangements (HRA) pre-tax funds.

The Internal Revenue Service currently allows over the counter (OTC) medicine and drugs to be reimbursed using your FSA or HRA dollars. However, as of January 1, 2011:

1. FSA or HRA funds can no longer be used to purchase OTC medicine and drugs unless you have a Letter of Medical Necessity (LMN), or a prescription, from your doctor. The OTC items affected include items in the following categories:
 - Allergy & Sinus
 - Antibiotic products
 - Anti-diarrheals
 - Anti-gas and acid controllers
 - Anti-itch & insect bite
 - Antiparasitic treatments
 - Baby rash ointments/creams
 - Cold sore remedies
 - Cough, cold & flu
 - Digestive aids
 - Feminine anti-fungal/itch
 - Hemorrhoidal preps
 - Laxatives
 - Motion sickness
 - Pain relief
 - Respiratory treatments
 - Sleep aids & sedatives
 - Stomach remedies
2. If you have an LMN, or a prescription, for an OTC medicine or drug, you must pay out of pocket at point of sale and then submit a manual claim requesting reimbursement. Beginning January 1, 2011 you will not be able to use your Card to purchase these items.
3. You can continue to use your FSA or HRA funds to purchase OTC items that are not considered a medicine or drug (e.g. bandages, splints, contact lens solution, etc.). So, your Trion Benny Card can continue to be used for these purchases.
4. Remember to consider these new OTC rules when estimating the dollar amount to put in your FSA, or HRA account for the next plan year.

If you have questions about this OTC change or need more information, please contact an Employee Advocate at Trion at 800-580-6854.