

Weekly Digest

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EMPLOYEE
BENEFITS

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Lessons Learned from OCR's Recent HIPAA Enforcement

"The OCR enforcement actions released in the summer of 2023 provide important reminders to HIPAA covered entities and business associates on how to strengthen their HIPAA compliance programs and safeguard protected health information." [Full Article](#)

Nixon Peabody



Biden-Harris Administration Moves Forward with Medicare Drug Price Negotiations to Lower Prescription Drug Costs for People with Medicare

"The Biden-Harris Administration announced that all 10 drug companies whose drugs were selected for price negotiation with Medicare for the first cycle of the program have decided to participate in those negotiations. These companies manufacture some of the costliest and most commonly used prescription drugs." [Full Article](#)

U.S. Department of Health and Human Services

The Proposed MHPAEA Regulations' 'Meaning of Terms' Part Two: Processes, Strategies, Evidentiary Standards and Other Factors

"This post continues our investigation of proposed regulations under the Mental Health Parity and Addiction Equity Act (MHPAEA) issued by the US Departments of Labor, Health and Human Services and the Treasury (the Departments)." [Full Article](#)

McDermott, Will & Emery



Agencies Press Play on Prescription Drug Machine-Readable File Requirement

"The Departments of Labor, Treasury and Health and Human Services rolled back two non-enforcement policies related to the machine-readable file requirements included in the transparency in coverage (TIC) final rules." [Full Article](#)

Proskauer Rose LLP

Court Ruling Calls Into Question Whether Plans and Issuers Can Exclude Drug Coupons Towards the MOOP

"On September 29, 2023, the U.S. District Court for the District of Columbia vacated the 2021 Notice of Benefit and Payment Parameters ("2021 NBPP") amendments to Affordable Care Act regulations. The amendments permitted (but did not require) plans and issuers to count direct support offered by drug manufacturers for prescription drugs toward the Affordable Care Act's annual cost-sharing limit ("MOOP"). The court invalidated the 2021 NBPP regulations." [Full Article](#)

Groom Law Group



Fiduciary Governance: Evaluating, Selecting, and Contracting with Pharmacy Benefit Managers

"Learn methods and best practices for working with and monitoring pharmacy benefit managers." [Full Article](#)

Nixon Peabody