

Weekly Digest

• November 7, 2024 •

EMPLOYEE
BENEFITS

California Governor Signs Legislation Expanding Infertility and IVF Coverage

“Under SB 729, effective July 1, 2025, certain health insurance policies in California will be required to cover the diagnosis and treatment of infertility.” [Full Article](#)

Ogletree Deakins



New HIPAA Rules Require Immediate Action By Employers and Business Associates

“Under OCR’s new guidance, Covered Entities and Business Associates are prohibited from using or disclosing PHI that may be related to reproductive health care – which is defined in the new guidance – for purposes of criminal, civil or administrative investigations, or the imposition of liability (or to identify a person for investigation or to impose liability).”

[Full Article](#)

*Miller, Johnson, Snell
& Cummiskey, P.L.C.*

In This Digest

PAGE 1

California Governor Signs Legislation Expanding Infertility and IVF Coverage

By, Ogletree Deakins

New HIPAA Rules Require Immediate Action By Employers and Business Associates

*By, Miller, Johnson, Snell
& Cummiskey, P.L.C.*

PAGE 2

Mental Health Parity Final Rule Imposes Year-End Action Items on Group Health Plan Sponsors

*By, Bryan Cave
Leighton & Paisner, LLP*

AMA Sues MultiPlan, Insurers, Alleging ‘Cartel’ to Fix Physician Prices

By, Industry Dive

Tobacco Surcharge Suits Spotlight Wellness Reg Compliance

By, Ballard Spahr, LLP

3 Things To Know About Proposed OTC Contraception Regs

By, Portfolio Media, Inc./ Law360

Mental Health Parity Final Rule Imposes Year-End Action Items on Group Health Plan Sponsors

"The final rule does the following: Updates and revises certain definitions pertaining to MH/SUD benefits; Establishes a 'meaningful benefits standard'; Requires plans to conduct comparative analysis of NQTLs to ensure MHPAEA compliance; Requires collection and evaluation of data pertaining to MH/SUD benefits; Increases scrutiny of the adequacy of the network for MH/SUD benefits; Requires certification by plan fiduciaries that they are using prudent processes to follow the requirements of the MHPAEA." [Full Article](#)

Bryan Cave Leighton & Paisner, LLP



AMA Sues MultiPlan, Insurers, Alleging 'Cartel' to Fix Physician Prices

"Cost management company MultiPlan is facing yet another lawsuit for allegedly conspiring to underpay providers -- this time, from the largest physician association in the United States. The American Medical Association's complaint, filed Thursday in an Illinois district court, accuses MultiPlan of colluding with major health insurers to set artificially low reimbursement rates for out-of-network care, forcing providers to accept payments that often don't cover their operating costs." [Full Article](#)

Industry Dive

Tobacco Surcharge Suits Spotlight Wellness Reg Compliance

"However, under Loper Bright, employers have greater freedom to question whether the HIPAA wellness regulations represent a reasonable interpretation of HIPAA's nondiscrimination regulations and may encourage judges to do the same.... In this new regulatory regime, still in its nascent stages, courts may find that tobacco usage is a lifestyle choice — not a health status — and thus outside the reach of HIPAA's nondiscrimination protections." [Full Article](#)

Ballard Spahr, LLP



3 Things To Know About Proposed OTC Contraception Regs

"The agencies gave health plans and insurance issuers the green light to impose so-called medical management techniques to contain costs and potentially minimize abuses of a new expansion in insurance coverage for OTC products." [Full Article](#)

Portfolio Media, Inc./ Law360