

To: Clients and Friends
From: Smith & Downey
Date: September 8, 2011
Re: Required Claims and Appeals Amendments for Health Plans

The regulators recently issued detailed guidance on the new health reform act claims and external review requirements for non-grandfathered health plans. The new rules are effective on the later of July 22, 2011 or the first day of the first plan year beginning after September 22, 2010. (That is, they are currently effective for most plans.)

Non-grandfathered plans that have not been amended to reflect this new guidance (including non-grandfathered plans that were amended previously for the health reform act generally but before this recent guidance was issued) must be amended to reflect this new guidance, and claims and appeals procedures for these plans need to be revised to reflect the new requirements.

If we previously prepared the year one health reform act amendments for your non-grandfathered plans, please contact us and we will send you a simple "snap-on" amendment that updates our language to reflect the new guidance.

If your non-grandfathered plans (and/or grandfathered plans) have not been amended for health reform, please contact us if you would like us to prepare the necessary amendments for you.