

**IMPORTANT INFORMATION  
REGARDING THE USE OF FLEXIBLE SPENDING ACCOUNT FUNDS TO  
PURCHASE OVER-THE COUNTER PRODUCTS**

**EFFECTIVE JANUARY 1, 2011**

The recently enacted **Patient Protection and Affordable Care Act of 2010** changes the rules for the purchase of over-the-counter (OTC) products using Flexible Spending Account (FSA), effective January 1, 2011.

- Individuals participating in the medical flexible spending plan can no longer use their account funds to purchase OTC drugs, medicines and biologicals, unless they have a Letter of Medical Necessity or a Prescription from their doctor. The product categories impacted by this new regulation include following items:

Acid controllers	Digestive Aids
Allergy & Sinus	Feminine Anti-Fungal/Anti-Itch
Antibiotic Products	Hemorrhoidal Preps
Anti-Diarrheals	Laxatives
Anti-Gas	Motion Sickness
Anti-Itch & Insect Bite	Pain Relief
Antiparasitic Treatments	Respiratory Treatments
Baby Rash Ointments/Creams	Sleep Aids & Sedatives
Cold Sores Remedies	Stomach Remedies
Cough, Cold & Flu	

- If a participant has a Letter of Medical Necessity or Prescription for an OTC drug or medicine, they must pay at the point of service and submit a manual claim along with the Letter of Medical Necessity or Prescription for reimbursement.
- Participants can continue to use their medical flexible spending plan and benefit cards (i.e., Benny Master Card) to purchase OTC items that are not considered a drug or a medicine (e.g., bandages, wound care, contact lens solution).

