

AAHP-HIAA

Comparison of Tax-Advantaged Health Care Spending Accounts

Feature	Archer Medical Savings Accounts (MSAs) ¹	Health Savings Accounts (HSAs) (as approved in the new Medicare legislation)	Flexible Spending Arrangements (FSAs)	Health Reimbursement Arrangements (HRAs)
Overview	A tax-exempt trust or custodial account with a financial institution in which account holders can save money exclusively for future qualified medical expenses. (Authorized under 26 USC 220.)	A tax-exempt trust or custodial account created exclusively to pay for the qualified medical expenses of the account holder and his or her spouse or dependents.	A type of cafeteria plan authorized under Section 125 of the Internal Revenue Code. ² Separate FSAs can be set up to cover each of the following types of expenses: <ol style="list-style-type: none"> 1. Health insurance premiums (known as a “premium-only plan”); 2. Qualified medical expenses; 3. Dependent care expenses. 	An employer funded account that reimburses employees for qualified medical care expenses, typically combined with a high-deductible health plan.
Who is eligible to set up an account?	An employee (or the spouse of an employee) of a small employer (50 or fewer employees) covered by an individual or family <i>high deductible health plan</i> (HDHP), and a self-employed person (or the spouse of a self-employed person) who maintains an individual or family HDHP.	Individuals and families covered by <i>qualified high-deductible health plan</i> . Individuals and families cannot be covered by any other health plan that covers the same benefits as the high deductible health plan. ³	An employee whose employer offers an FSA option. Employees may also set up a Dependent Care Account for qualifying dependents: <ul style="list-style-type: none"> • A child under 13 claimed as a dependent for income taxes; • A spouse incapable of self-care; • A child 13 or older, parent, sibling, in-law incapable of self-care and claimed as a dependent for income taxes. 	An employee whose employer offers an HRA.

¹ MSAs were authorized as a demonstration program under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The program – which has been reauthorized in the past – expired at the end of 2003. The House has passed a bill (H.R. 3521) extending the sunset date for Archer MSAs from 2003 to 2004. A companion Senate bill (S. 1896) has not yet been passed.

² Cafeteria plans are plans under which participants may choose among 2 or more benefits consisting of cash and qualified benefits.

³ An outstanding question is whether HRAs or FSAs would be considered another health plan, or acceptable complementary arrangements.

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What are the requirements for the corresponding health plan?	<p><i>High deductible health plan:</i></p> <p>For 2003, self-only deductible must be between \$1,700 and \$2,500, with an out-of-pocket maximum of not more than \$3,350; family deductible must be between \$3,350 and \$5,050, with an out-of-pocket maximum of \$6,150.</p> <p>Plan can provide first-dollar coverage of preventive care and still be qualified.</p>	<p><i>Qualified high-deductible health insurance:</i></p> <p>For 2004, self-only deductible must be at least \$1,000 for self-only coverage; \$2,000 for family coverage.⁴ The maximum of the deductible and annual out-of-pocket expenses required to be paid under the plan (i.e., copayments and coinsurance, not premiums) is \$5,000 for self-only; \$10,000 for family. These limits are indexed to the CPI.</p> <p>Plan can provide first-dollar coverage of preventive care and still be qualified.</p> <p>For PPOs, deductible and out-of-pocket amounts apply only to in-network services.</p>	No health plan requirements.	No health plan requirements.
Who may contribute to the account?	Either the employee or the employer, but an employee and an employer may not both make contributions to the MSA in the same year.	Either the account holder or the employer or both.	The employee, employer, or both. Usually funded by employees, who choose to set aside a certain amount of their pay in an FSA account.	Solely the employer.
What are the limits on contributions?	<p>75% of the amount of the annual health plan deductible for family coverage; 65% of deductible for self-only coverage, subject to an income limit.</p> <p>Contributions cannot exceed the amount earned for the year from one's employer or, if self-employed, net self-employment income.</p>	Up to 100% of the deductible amount of the accompanying high-deductible health insurance policy, up to a maximum in 2004 of \$2,600 for a self-only account, \$5,150 for a family account. Future year limits indexed to the CPI.	No limits under federal income tax law for FSAs set up to pay for qualified medical expenses or health insurance premiums; employers typically set limits. ⁵	No federal income tax law limits. Employers typically set limits, usually equal to or less than the amount of the deductible of employees' health plan.

⁴ The family deductible applies to the entire family as a unit, not to individuals as is more commonly the case in most health insurance policies.

⁵ Limit for Dependent Care Accounts is \$5,000 per family per calendar year for single taxpayers with dependents, or for married taxpayers who file a joint income tax return.

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<i>What are qualified medical expenses?</i>	<p>Unreimbursed qualified medical expenses as defined in Section 213(d) of the Internal Revenue Code, except (in general) for health insurance premiums: e.g., amounts paid for doctors' fees, prescription medicines, and necessary medical services not paid for by insurance (including many over-the-counter medications).</p> <p>MSA funds generally cannot be used to pay health insurance premiums; however, there are certain exceptions. See below ("When can funds be used to pay health insurance premiums?").</p>	Same as Archer MSAs.	Same as Archer MSAs.	Unreimbursed qualified medical expenses as defined in Section 213(d) of the Internal Revenue Code, including health insurance premiums.
<i>When can funds be used to pay health insurance premiums?</i>	<ol style="list-style-type: none"> 1. While receiving unemployment benefits. 2. While receiving COBRA continuation benefits. 	<ol style="list-style-type: none"> 1. While receiving unemployment benefits. 2. While receiving COBRA continuation benefits. 3. When age 65 or over for any health insurance except Medicare supplemental policies. 	A separate FSA ("premium-only plan") can be set up to pay the employee's contribution toward the monthly cost of health insurance. Under a salary reduction agreement, the employee agrees to contribute a portion of salary on a pre-tax basis to pay for qualified benefits.	<p>In general, funds can be used to pay for premiums under:</p> <ol style="list-style-type: none"> 1. the employee's health plan 2. a spouse's health plan 3. the employer's retiree health plan 4. COBRA continuation coverage. <p>However, premiums that may be paid by salary reduction may not be paid from an HRA.</p>
<i>Can funds be used to pay for long-term care coverage?</i>	Yes, premiums for long-term care insurance are reimbursable.	Same as Archer MSAs.	No, the Internal Revenue Service code specifically excludes long term care insurance as a qualified benefit under a cafeteria plan; so long term care insurance premiums are not reimbursable under an FSA.	Same as Archer MSAs.

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<i>Are withdrawals for non-medical expenses allowed?</i>	Yes, but distributions not used exclusively to pay "qualified medical expenses" are included in income and are subject to a 15% additional tax – except when the individual is age 65 or older, disabled, has died during the year.	Same as Archer MSAs, except the additional tax penalty is 10%.	No.	No.
<i>What is the tax treatment of contributions?</i>	Employee contributions are tax deductible. Employer contributions are excludable from gross income and not subject to employment taxes (e.g., FICA).	Same as Archer MSAs.	Employees pay no federal, Social Security or (in most states) state taxes on FSA contributions. Employers pay no FICA tax or federal or state unemployment taxes on FSA contributions.	Employer contributions are generally excludable from employee's gross income. However, an arrangement that distributes the unused HRA amount at termination either as a death benefit or as a severance payment will not qualify as an HRA. Employers receive expense deductions for payments.
<i>Can funds be carried over from one year to the next?</i>	Yes. MSA funds may be carried over indefinitely during a participant's lifetime. Upon a participant's death, an MSA may be passed on to a surviving spouse without federal tax liability.	Same as Archer MSAs. In addition, unspent funds from an Archer MSA may be rolled over into an HSA.	No. Unused FSA balances are forfeited at the end of the year.	Yes. Unused amounts in an HRA may be carried over, subject to any limits set by the employer.
<i>Are accounts portable?</i>	Yes. Employees may take funds with them when they leave or change jobs.	Same as Archer MSAs.	No. Unused FSA balances are forfeited if the employee leaves or changes jobs.	Yes, but only at discretion of the employer.
<i>Does interest accrue on funds deposited in the account?</i>	Yes. Interest accrues tax free.	Same as Archer MSAs.	No. Interest is not accrued.	There is no requirement that interest accrue but employers have discretion to credit interest to the HRA accounts.