

## The CARES Act, OTC medical products and PPE

**New as of March 26, 2021!** The IRS announced that Personal Protective Equipment (PPE) now qualify as a 213(d) medical expense. The purchase of PPE, such as masks, hand sanitizer and sanitizing wipes are qualified medical expenses if used for the primary purpose of preventing the spread of coronavirus. This announcement applies to expenses incurred on or after January 1, 2020.

On March 27, 2020, the CARES Act was signed into law. Formally named the *Coronavirus Aid, Relief, and Economic Security Act*, the law provides emergency relief in the wake of the COVID-19 public health emergency.

Section 3702 of the CARES Act specifically applies to Health Savings Accounts (HSAs), Flexible Spending Accounts (FSAs) and Health Reimbursement Arrangements (HRAs):

- You can now purchase over-the-counter (OTC) medical products without a prescription from a physician, including pain relievers, cold medicines, bandages and more; this is a permanent change retroactive to January 1, 2020.
- Additionally, menstrual care and feminine hygiene products, such as tampons, pads and cups, are now included as an eligible expense; this is a permanent change retroactive to January 1, 2020.

### *Important: If you have a Health Care FSA or HRA*

As per Internal Revenue Service (IRS) regulations, you are still required to substantiate (provide proof for) purchases made using FSA or HRA funds. Please note merchants will need time to update their systems to reflect the eligibility of OTC and feminine hygiene items. In the interim, please be sure to keep all receipts for substantiation and reimbursement purposes.

### Eligible OTC products

Eligible products are intended to alleviate or treat injuries or illness for you and your dependents. The products listed below are examples and do not constitute an endorsement or an exhaustive list of OTC products eligible for reimbursement.

| Type/class of product               | Examples  |
|-------------------------------------|---|
| Contact lens supplies               | Bausch & Lomb Contact Lens Solution, CIBA Solution, Cleaning and soaking solutions, Hibiclens, Lens storage cases, Opti-One, Rewetting drops, Unisol                        |
| Contraceptive/family planning       | Condoms, Durex, Ovulation predictor kits, Pregnancy tests   |
| Denture care                        | Poligrip  |
| Eye care                            | Eye patches, Reading glasses, Bausch & Lomb Contact Lens Solution, Miraflow   |
| First aid/medical supplies          | Ace wraps, Bandages, Cold/hot packs for injuries, First aid kits, Joint supports (ankle, elbow, knee, wrist), Liquid adhesives, Splints, ThermoCare Heatwraps, Thermometers |
| Home diagnostic tests or kits       | Blood pressure (monitor and related equipment), Cholesterol, Colorectal screenings, Diabetic equipment and supplies, HIV test, Ketostix, Pregnancy test                     |
| Incontinence/bladder control        | Poise Pads/Products, Serenity Pads/Products   |
| Personal Protective Equipment (PPE) | Masks, Hand sanitizer and Sanitizing wipes  |

## Eligible OTC drugs and medicines/feminine hygiene products

Eligible OTC drugs and medicines are intended to alleviate or treat injuries or illness for you and your dependents. Feminine hygiene products are also eligible for reimbursement per the CARES Act. The products listed below are examples and do not constitute an endorsement or an exhaustive list of products eligible for reimbursement.

| Type/class of drug or product                     | Examples  |
|---|---|
| <b>Allergy prevention and treatment</b>           | Actifed, Allerest, Benadryl, Chlor-Trimeton, Claritin, Contac, Cromolyn Spray, NasalCrom, Pseudoephedrine, Sinutab, Sudafed   |
| <b>Analgesics/antipyretics</b>                    | Acetaminophen, Advil, Aleve, Analgesic Pain Patch, Aspirin, Ecotrin, Children's Motrin, Ibuprofen, Midol, Motrin, Naprosyn, Naproxen sodium, Pamprin, Premysyn, Orudis KT   |
| <b>Antacids and acid reducers</b>                 | Alka Seltzer, Alka Seltzer PM, Aluminum Hydroxide, AXID AR, Cimetidine, Gas-X, Maalox, Magnesium Hydroxide, Magox, Mylanta, Nizatidine, Tums, Pepcid AC, Pepto Bismol, Phazyme, Prilosec OTC, Roloids, Simethicone, Tagamet HB  |
| <b>Anti-arthritis</b>                             | Aleve, Aspercreme, BenGay, Tylenol Arthritis, Biofreeze   |
| <b>Antibiotics (topical)</b>                      | Bacitracin, Benzalkonium Chloride, Neosporin, Polysporin, Triple antibiotic ointment  |
| <b>Anticandidal (yeast)</b>                       | Femstat 3, Gynelotrimin, Mycelex-7, Monistat 3, Vagistat-1  |
| <b>Antidiarrheal and laxatives</b>                | Bismuth (generic Pepto Bismol), Ex-Lax, Immodium AD, Kaopectate, Pepto-Bismol   |
| <b>Antifungal</b>                                 | Clotrimazole, Desenex, Ketoconazole, Lamisil AT, Lotramin AF, Lotramin Powder, Loperamide HCL, Micatin, Miconazole, Tinactin, Tineacide, Tolnaftate, Zeasorb-AF   |
| <b>Antihistamines</b>                             | Actidil, Actifed, Alavert, Allerest, Benadryl, Chlor-Trimeton, Claritin, Clemastine, Contac, Diphenhydramine, Drixoral, Loratadine, Sudafed, Tavist-1, Triaminic  |
| <b>Anti-itch lotions and creams</b>               | Bactine, Benadryl, Caladryl, Calamine, Caldecort, Calohist, Cortaid, Domeboro Astringent Solution, Hydrocortisone, Lanacort, Lamisil AT, Lotramin AF, Zanol   |
| <b>Asthma medicines</b>                           | Bronitin Mist, Bronkaid, Bronkoxler, Primatene Mist   |
| <b>Birth control/family planning</b>              | Spermicides, Contraceptive Gel  |
| <b>Cold sore/fever blister</b>                    | Abreva Cream, Herpecin, Kanka   |
| <b>Cold, flu, decongestant and sinus remedies</b> | Actidil, Actifed, Advil Cold and Sinus, Afrin, Afrinol, Aleve Cold and Sinus, Alka Seltzer Cold and Flu, Children's Advil Cold, Contac, Cough Drops, Dayquil, Delsym/Benlylin, Dextromethorphan, Dimetane, Dristan Long-Lasting, Drixoral, Entsol Spray, Humibid, Nasal Sprays, Neo-Synephrine 12- Hour, Nyquil, Otrivin, Pediacare, Pedia Relief, Phenylephrine HCl, Ponaris, Pseudoephedrine, Sudafed, Tavist-D, Thera-flu, Throat Lozenges, Triactin, Triaminic, Tussin, Tylenol Cold and Flu, Zicam |
| <b>Cough suppressants or expectorants</b>         | Benlylin/Delsym, Camphor, Chloraseptic, Coricidin, Cough drops, Mucinex, Robitussin, Throat lozenges, Vicks 44  |
| <b>Decongestants</b>                              | Claritin-D, Neo-Synephrine, Sudafed   |
| <b>Dental</b>                                     | Anbesol, Oragel   |
| <b>Diaper rash medication</b>                     | Aquaphor Ointment, Balmex, Boudreauxs Ointment, Desitin, Zinc Oxide   |
| <b>Ear care</b>                                   | Debrox, Ear drops, Ear wax removal  |
| <b>Eye care</b>                                   | Akwa Tears, Allergan, Celluvisc Eye Drops, Genteal Gel, Muro 128, Similasan, Systane drops, Visine  |
| <b>Femine hygiene</b>                             | Sanitary napkins, tampons and cups  |
| <b>First aid/medical supplies</b>                 | Antiseptics, Ipecac Syrup, Neosporin Scar Solution, Peroxide, Rubbing alcohol, Witch Hazel  |
| <b>Foot care</b>                                  | Athlete's Foot products (see anti-fungal), Callous removers   |
| <b>Healing ointment</b>                           | Aquaphor Healing Ointment, Eucerin Healing Ointment   |

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| Type/class of drug or product | Examples  |
|-------------------------------|---|
| Hemorrhoidal preparations     | Hemorid, Preparation H, Tronolane   |
| Laxative                      | Bisacodyl, Castor Oil, Citrucil tabs, Colace, Col-Rite, Fletchers Castoria, Kondremul, Magnesium Citrate, Metamucil, Mineral Oil, Senna/Senakot |
| Menstrual cycle               | Midol, Pamprin, Premysyn PMS  |
| Migraine relief               | Advil Migraine, Excedrin, Motrin Migraine   |
| Motion sickness               | Dramamine, Marezine   |
| NSAIDS                        | Advil, Aleve, Bayer, Ibuprofen, Motrin, Naprosyn, Naproxen, Orudis KT   |
| Pediculicide                  | Nix, Rid  |
| Shampoo                       | Dermarest, Nizoral  |
| Skin care                     | Carmex medicated lip product  |
| Sleeping aids                 | Unisom  |
| Teething/toothaches           | Anbesol, Orajel   |
| Topical steroids              | Hydrocortisone  |
| Urinary pain reliever         | Azo Standard, Cystex, Uristat   |
| Wart removal                  | Compound W, Dr. Scholl's Clear Away, Tinamed, Wart-Off  |
| Yeast infection treatment     | Monistat  |