

OTC (Over the Counter) Drug Ruling

If certain requirements are met, a health FSA can reimburse medicines and drugs that are available without a prescription.

- ❑ Must be accompanied by adequate claims substantiation (statements from third party and participant) **Receipt must show the name of the medicine or drug, the date, and the amount of the purchase**
- ❑ Must be incurred during the coverage period
- ❑ Must be incurred for the employee, spouse, or dependent(s)
- ❑ Must be adjudicated by the plan administrator
- ❑ Must meet the definition of “medical care”
 - The definition: For purposes of a health FSA, the term “medical care” means amounts paid for “[1] the diagnosis of disease, [2] the cure, mitigation, treatment or prevention of disease, or [3] for the purpose of affecting any structure or function of the body.”
- ❑ Must be more than merely beneficial to general health
- ❑ Must not involve an unreasonable stockpiling
- ❑ For small quantities, of items on the medical-only list below, the expense is reimbursable even if the employee, spouse, or dependent did not have an illness at the time of purchase

Medical Only List – *The following list has been determined as primarily for medical care and reimbursement for reasonable quantities will be made if the above requirements/documents are met.*

Any item that used to be a prescribed drug

Allergy Medicine such as Benadryl, Sudafed, Actifed, Claritan, Trimaton, and Nasalcrom

Antacids such as Gas-X, Maalox, Mylanta, Tums, Pepcid, Prilosec, Tagamet, Zantac

Anticandial such as Lotrimin, Monistat, Vagistat

Antihistamines such as Actifed, Allerest, Benadryl, Claritin, Chlor-Trimeton, Contac, Drixoral, Nyquill, Triaminic

Antidiarrheal and Laxatives such as Pepto-Bismol, Immodium, Kaopectate, ExLax

Anti-fungal such as Lamisil, Lotramin, Micatin

Anti-itch creams and lotions such as Bactine, Caldecort, Cortaid, Lanacort, Calamine, Benadryl, Cortaid

Asthma medications such as Primatene Mist

Cold Remedies such as Advil, Afrin, Aleve, Dristan, Tylenol Flu, Alka Seltzer, Triaminic

Cold Sore and Fever Blisters medications such as Carmex, Abreva cream

Condoms and other contraceptive devices such as Trojans, VGF Film, Delfen Contraceptive Foam

Contact Lense Solutions such as Allergan, Renu, Bausch and Lomb, Opti Free

Cough Suppressants and lozenges such as Chloraseptic, Vicks, Robitussin

Dehydration such as Pedialyte

Diaper Rash Ointments such as Desitin

Eye Products such as Visine or even reading glasses

First Aid supplies such as Band-Aids, ace bandages, gauze and tape, thermometers, Neosporin, rubbing alcohol, hot/cold packs

Hemorrhoid Treatments such as Preparaton H, Hemorid, and Tronolane

Internal Analgesics such as Advil, Aleve, Motrin, Nuprin, Excedrin, Tylenol, Bayer

Incontinence Supplies such as Depends

Liniments such as BenGay, Tiger Balm and Flexall

Monitoring such as bracelets specifically to provide medical treatment

Medical Products and Devices such as blood pressure monitor, glucose tester, HIV test, pregnancy tests, ovulation monitor, diabetic supplies, cholesterol test, crutches, wrist supports

Menstrual Cycle products for pain and cramp relief such as Midol, Pamprin, Premysyn PMS

Migraine relief such as Advil Migraine, Excedrin Migraine, Motrin Migraine

Motion Sickness medicines such as Dramamine and Marizine

Pediculicide (head lice) such as Nix

Poison Ivy protection such as Ivy Block

Smoking Cessation products such as Commit, Nicoderm CQ, Nicorette, Nicotrol

Special ointment or cream for sunburns (not regular skin moisturizers)

Toothache and teething pain relievers such as Orajel

Wart remover treatments such as Tinamed

Dual-Purpose List – *the following items require a medical practitioner's diagnosis and recommendation. The items listed below have both a medical purpose and a personal/cosmetic or general health purpose. A medical practitioner's note is required stating that the person has a specific medical condition and that the OTC drug is recommended to treat it and that treatment is not a cosmetic procedure. A medical practitioner's note is not a guarantee of reimbursement.*

Acne treatment and Retin-A, not reimbursable if used for cosmetic purposes such as wrinkle reduction
Dietary and Herbal Supplements only as recommended by a physician to treat a specific medical condition
Glucosamine/Chondroitin for arthritis or other medical condition
Hormone therapy and treatment for menopause
Nasal sprays/strips for snoring for proper breathing or other medical condition
Orthopedic shoes and inserts
Pills for persons who are lactose intolerant
Sunscreen and Sunblock if you've been diagnosed with skin cancer or other related diagnosis
Topical creams to treat gingivitis
Vitamins and Fiber Supplements to treat a specific disease
Weight-loss drugs to treat a specific disease (including obesity)

Non-Reimbursable OTC Items: *Any expenditure which is merely beneficial to the general health of an individual is excluded.*

Chapstick
Cosmetics, including face cream, moisturizers, hand lotion, perfumes, lipsticks, fingernail polishes
Cotton Balls
Deodorants
Eye and facial makeup preparations
Feminine Hygiene Products such as Tampons and Maxi Pads
Hair colors, hair removal products
Mouth wash
One-a-day vitamins, dietary supplements
Shaving lotion
Suntan lotion
Toiletries and or cosmetics
Teeth Whitening products
Toothpaste and toothbrushes (electric or otherwise)
Q-Tips

IMPORTANT: The receipt MUST indicate (1) the name of the medicine, drug, or supply purchased, (2) the date of purchase (3) the amount of purchase, and (4) MUST have been purchased for the employee, the employee's spouse, or the employee's dependent(s).

If receipts from the store where you purchase OTC products do not include the required information, you may want to consider shopping around to find a store that can provide you with a receipt that indicates the required information. Receipts that do not provide the required information will not be reimbursed. If you use your debit card to purchase OTC items and you cannot provide a receipt with the required information, you will be required to reimburse your account, as the expense will be deemed ineligible. Continued use of your debit card for the purchase of OTC products without a proper receipt could result in permanent de-activation of your debit card.