MAY 31, 2018

OFCCP EXTENDS AND EXPANDS TRICARE ENFORCEMENT MORATORIUM

In happy news for the health care industry, OFCCP recently announced a two-year extension of its TRICARE enforcement moratorium. The agency's self-initiated enforcement moratorium, which has been in effect for four years, is now scheduled to expire on May 7, 2021.

OFCCP also expanded the scope of the moratorium to apply to providers under the Veterans Affairs Health Benefits Program. In doing so, OFCCP Director, Ondray T. Harris, stated: “By providing greater regulatory certainty to TRICARE providers and Veterans Affairs Health Benefits Program providers, the Administration can help ensure that America’s veterans and their families can access quality health care.”

The TRICARE enforcement moratorium extension came on the heels of the release of the Trump Administration's Spring 2018 Unified Agenda of Regulatory and Deregulatory Actions. In that document, OFCCP announced its intention in the upcoming months to propose a single regulation entitled: "Affirmative Action and Nondiscrimination Obligations of Federal Contractors and Subcontractors: TRICARE and Certain Other Healthcare Providers." Hopes are high that OFCCP will move forward by permanently exempting TRICARE subcontractors—and perhaps other types of health care providers—from burdensome affirmative action obligations. Stay tuned for future posts as these developments unfold.

If you have any questions or would like additional information, please contact Jon Bumgarner at (317) 977-1474 or jbumgarner@hallrender.com or your regular Hall Render attorney.

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