

Comparison of HSAs and Health FSAs

This chart provides a quick and easy comparison of the different types of tax-advantaged health care accounts.

	Health Savings Account (HSA)	Health Flexible Spending Account (FSA)**
Who owns the account?	Individual or employee	Employer
Eligible individual	Individuals covered by a high deductible health plan (HDHP) and no other health plan that pays benefits before the HDHP's deductible is reached (with some narrow exceptions). Individuals are not eligible if they can be claimed as a dependent on another person's tax return or if they are enrolled in Medicare.	Current and former employees
Eligibility of spouse or dependents	Can reimburse medical care expenses of spouses and dependent children.	Employer can design health FSA so that it reimburses eligible medical care expenses of spouses and dependent children.
Who may fund the account?	Anyone can make contributions to an individual's HSA, including employer/employee. Employee may contribute pre-tax dollars through a Section 125 plan.	Employer or employee. Typically, the employee contributes pretax dollars through a Section 125 plan.
What plans may be offered with the tax-advantaged account?	An HDHP that satisfies minimum annual deductible and maximum annual out-of-pocket expense requirements.	Most health FSAs must qualify as excepted benefits to satisfy ACA reforms. To qualify as an excepted benefit, the FSA must meet a maximum benefit requirement and other group health plan coverage must be offered by the employer.

	Health Savings Account (HSA)	Health Flexible Spending Account (FSA)
Is there a limit on the amount that can be contributed per year?	\$3,600 Ind. \$7,200 Family (2021) Catch-up contributions: \$1,000/year– age 55 by end of tax year	Effective for taxable years beginning after Dec. 31, 2012, employees may not elect to contribute more than \$2,500 per year to a health FSA offered through a cafeteria plan.
Can unused funds be rolled over from year to year?	Yes	No, with two exceptions. If the FSA allows, unused amounts may be used for expenses incurred during a grace period of 2 ½ months after the end of plan year. Also, if the FSA does not incorporate a grace period, it may allow employees to carry over up to \$550 in unused funds into the next plan year.
What expenses are eligible for reimbursement?	Section 213(d) medical expenses, including: -COBRA premiums -QLTC premiums -Health premiums while receiving unemployment benefits -If Medicare eligible due to age, health insurance premiums except medical supplement policies	Section 213(d) medical expenses. Expenses for insurance premiums are not reimbursable. Employer can generally define “eligible medical expenses” to be more restrictive than the IRS guidelines.
Must claims submitted for reimbursement be substantiated?	No	Yes
May account reimburse non-medical expenses?	Yes, but taxed as income and 20 percent penalty (no penalty if distributed after death, disability or age 65).	No

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Federal tax treatment of employee contributions	Tax-deductible for individual, even if he or she does not itemize, provided contributions do not exceed the individual's annual contribution limit. If an employee contributes to his or her HSA through salary reduction, the contributions are tax-free and are not subject to FICA and other employment taxes.	If an employee contributes to an FSA through salary reductions under a cafeteria plan, the contributions are tax-free and are not subject to FICA and other employment taxes.

**For purposes of this comparison chart, an HRA refers to a traditional HRA that is properly integrated with a group health plan. It does not include retiree-only HRAs, qualified small employer HRAs, individual coverage HRAs or excepted benefit HRAs.*

***Due to the COVID-19 pandemic, Notice 2021-15 from the IRS provides flexibility to employers offering FSAs or dependent care assistance programs. These flexibilities allow employers to:*

- Provide flexibility for the carry-over of unused amounts from the 2020 and 2021 plan years;*
- Provide flexibility to extend the permissible period for incurring claims for plan years ending in 2020 and 2021, allowing employers to extend the grace period to 12 months;*
- Provide flexibility to adopt a special rule regarding post-termination reimbursements from health FSAs, which allows employers to permit employees who cease plan participation during 2020 or 2021 to continue to receive reimbursements from unused amounts through the end of the plan year in which their participation ended;*
- Provide flexibility for a special claims period and carry-over rule for dependent care assistance programs when a dependent "ages out" during the COVID-19 public health emergency. For purposes of determining dependent care assistance that may be*

paid or reimbursed, the maximum age is increased from 13 to 14 years of age; and

- Allow certain mid-year election changes for health FSAs and dependent care assistance programs for plan years ending in 2021.*

The Consolidated Appropriations Act of 2021, signed into law on Dec. 27, 2020, also provides similar flexibility for these arrangements in 2021 and 2022.