

Tax-Free Better Form Letter - PPE

Date:

Dear

I am writing to voice my support for an issue that has become all the more vital in light of the recent COVID-19 public health crisis: making personal protection equipment (PPE) eligible for the 70+ million Americans with flexible spending accounts (FSAs) and health savings accounts (HSAs).

As an _____ holder trying to use every measure available to keep myself and my family protected, my pre-tax account dollars are more important to my financial and physical well-being than ever. Not being able to purchase the products my family needs like face masks, gloves and hand sanitizer is hindering my own and my fellow American's ability to have greater access to the products we need to stay healthy.

IRS 213(d) currently defines qualified medical care as "amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body" Unfortunately, in order for medical products to qualify as prevention, the IRS has also indicated that there must be an imminent probability of contracting a disease or illness without the use of the product, a standard which is difficult to achieve. This means that PPE may in fact qualify with an FSA or HSA, but only after an unnecessary trip to the doctor and a letter of medical necessity.

The imminent threat and spread of COVID-19 without products such as masks, gloves and hand-sanitizer fully satisfies these requirements and necessitates immediate action by the IRS to allow for all FSA and HSA holders to purchase these items. This action will only be taken if directed by or made law by Congress.

We are asking you to help make this important change happen by asking the IRS to allow PPE as FSA/HSA eligible in all cases without the need to see a doctor first, however you can. Whether it be through a phone call to the IRS or through legislative action, 70 million+ Americans are counting on you to help solve this important issue.

I encourage you and your fellow members to consider this critical consumer healthcare issue in the hopes that more Americans can utilize their tax-advantaged healthcare dollars to do their part to stop the spread of COVID-19.

Respectfully,