TrumpRx.gov and Plan Sponsors

In February 2026, the federal government launched the TrumpRx.gov website (www.trumprx.gov) designed to help individuals obtain prescription drug "coupons" which, in many situations, may lower the cost of several dozen drugs that are noted on that website.

There is no underlying law or regulation that specifically creates the new website or specifies its terms and conditions. Thus, its impact on employers and plan sponsors is a bit unclear. As currently designed, TrumpRx.gov does not specifically "integrate" with group health plans. Thus, its impact on plan sponsors may be modest.

There are some outstanding questions and considerations for plan sponsors:

1. Must plan sponsors accumulate costs toward deductibles and out-of-pocket maximums and if so, how? The ESI Settlement requires ESI to count the cost of prescription drugs purchased through TrumpRx.gov toward a plan participant's deductible and out-of-pocket maximum (OOP) in its Standard Offering. Must a plan sponsor require its PBM to likewise count these amounts toward the plan's deductible and OOP? If so, how would the plan's vendors even know what expenses an individual is incurring, given that neither the TrumpRx.gov website nor the individual are specifically required to tell the vendor (e.g., the PBM) about these costs? Further guidance would be helpful.

2. Is the use of an FSA or HRA allowed? We expect that individuals who are currently enrolled in a group health plan may: (a) purchase drugs from the manufacturer, using a TrumpRx.gov coupon; then (b) seek to have their group health plan (or a health flexible spending account (Health FSA) or health reimbursement arrangement (HRA) reimburse the enrollee for the cost of the drug. Reimbursement might be possible, but there will be legal considerations, including whether the drug is for medical care and whether the drug can be reimbursed on a tax free basis.

   In addition, the "coupons" on the TrumpRx.gov website have various terms and conditions that apply to them. It appears that the individual must agree to these terms and conditions to receive the coupon. Some of those terms and conditions specifically state that the individual cannot seek reimbursement for the cost of the drug. It is unclear whether a plan

POSTED:

Feb 27, 2026

RELATED PRACTICES:

Employee Benefits
https://www.reinhartlaw.com/practices/employee-benefits

RELATED SERVICES:

Health and Welfare Plans
https://www.reinhartlaw.com/services/health-and-welfare-plans

RELATED PEOPLE:

John L. Barlament
https://www.reinhartlaw.com/people/john-barlament

Stacie M. Kalmer
https://www.reinhartlaw.com/people/stacie-kalmer

Gregory A. Storm
https://www.reinhartlaw.com/people/gregory-storm

All materials copyright © 2026 Reinhart Boerner Van Deuren S.C. All rights reserved.

sponsor (or its Health FSA/HRA vendor, etc.) will have risk if it assists an enrollee in violating these terms and conditions.

3. Does TrumpRx impact HSA eligibility? Individuals generally cannot make new contributions to a health savings account (HSA) if they have non-high-deductible (Non HDHP) coverage. Will the availability of the TrumpRx.gov website be Non HDHP coverage that causes everyone (or perhaps only users of the website) to lose their eligibility to contribute to an HSA? Presumably, the TrumpRx.gov website will not be deemed Non-HDHP coverage. Prior IRS guidance generally accepts that "coupons" do not prevent HSA eligibility and the TrumpRx.gov website focuses on "coupons". However, IRS guidance would be welcome.

For more information, please contact John Barlament, Stacie Kalmer or Greg Storm, or your Reinhart attorney.

This is the final article in our series, "Changes Abound for PBMs, Plan Sponsors, Health Plan Vendors and Prescription Drug Plans"

To read the rest of the series:

Proposed Regulations Would Require Extensive Disclosures from PBMs

Consolidated Appropriations Act 2026: Impact on Plan Sponsors

Federal Trade Commission Settlement with ESI

These materials provide general information which does not constitute legal or tax advice and should not be relied upon as such. Particular facts or future developments in the law may affect the topic(s) addressed within these materials. Always consult with a lawyer about your particular circumstances before acting on any information presented in these materials because it may not be applicable to you or your situation. Providing these materials to you does not create an attorney/client relationship. You should not provide confidential information to us until Reinhart agrees to represent you.

All materials copyright © 2026 Reinhart Boerner Van Deuren S.C. All rights reserved.