
FEHB Program Carrier Letter

All FEHB Carriers

U.S. Office of Personnel Management
Healthcare and Insurance

Letter No. 2021-13

Date: July 7, 2021

Fee-for-Service [11]

Experience-rated HMO [11]

Community-rated [11]

Subject: New FEHB Carriers' FEHB Websites and Mobile Applications Accessibility Requirements

The Office of Personnel Management (OPM) is committed to preventing discrimination on the basis of disability in the Federal Employees Health Benefits (FEHB) Program. As a federal agency, OPM is required to comply with Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794d. Additionally, Section 501 of the Rehabilitation Act, 29 U.S.C. § 791, which applies certain provisions of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12111 et seq., prohibits OPM from participating in a contractual relationship with an organization providing fringe benefits to employees that has the effect of subjecting an employee with a disability to discrimination.

It has come to our attention that FEHB Carriers' web pages and mobile applications used to communicate FEHB health plan information with eligible individuals and family members may in some respects not be fully accessible to those with visual impairments. In order for OPM to meet its ongoing commitment to prevent eligible individuals and members with visual impairments from experiencing discrimination in accessing the full benefits and services of their chosen FEHB health benefits plan, we are instituting a specific instruction that all Carriers take steps necessary to make web pages and mobile applications used by the carrier to communicate information with FEHB members and eligible individuals about benefits and services under the Plan conform to commonly accepted best practices for accessibility as reflected in the Web Content Accessibility Guidelines (WCAG) 2.0 Level A and Level AA (WCAG Requirements). This includes but is not limited to access to Explanations of Benefits, provider directories, and electronic ID cards; sending secure messages with the Carrier; and the ability to update contact and health information.

Carriers will be required to either provide a certification that the FEHB pages on the carrier's websites and mobile applications are conformant with WCAG Requirements or propose work plans that will detail a phased strategy for bringing their FEHB communication tools (existing and new) into conformance with current WCAG 2.0 Level A and Level AA. In addition, carriers will be expected to maintain that conformance, and conform to any future accessibility requirements, as applicable.

Conformance with WCAG Requirements will be considered a prudent business practice in accordance with FEHBAR 1609.7001(b). In addition, conformance with WCAG Requirements is

one of the factors that OPM contracting officers will consider under OPM's annual Plan Performance Assessment in determining each Carrier's profit and performance adjustment under its FEHB contract, and may have either a positive or negative impact on their profit and/or performance adjustment. Reasonable costs incurred to make applicable items conformant with commonly accepted best practices for accessibility are allowable costs under FEHB Program contracts.

To the extent this Carrier Letter conflicts with any previously issued guidance, this Carrier Letter supersedes such earlier guidance.

For questions or additional information, please contact your Health Insurance Specialist.

Sincerely,

Laurie E. Bodenheimer
Associate Director
Healthcare and Insurance