

# COMPLIANCE OVERVIEW

Provided by Touchstone Consulting Group

## Health Savings Account (HSA) Contribution Limits for Spouses

Federal tax law imposes strict limits on how much can be contributed to a health savings account (HSA) each year. The maximum contribution limit generally depends on whether an HSA-eligible individual has self-only or family coverage under a high deductible health plan (HDHP). Individuals who are age 55 or older by the end of the tax year are permitted to make an additional \$1,000 HSA contribution, called a “catch-up contribution.”

There is a special contribution limit for married individuals, which provides that if either spouse has family HDHP coverage, then both spouses are treated as having only that family coverage. This means that if both spouses are HSA-eligible and either has family HDHP coverage, the spouses’ combined contribution limit is the annual maximum limit for individuals with family HDHP coverage.

This Compliance Overview includes a table that shows the HSA contribution limits for employees who are married, including when the special contribution limit for spouses applies.

### LINKS AND RESOURCES

- [IRS Publication 969](#), Health Savings Accounts and Other Tax-favored Health Plans
- [Internal Revenue Code Section 223](#), which lays out the special rule for spouses
- [IRS Revenue Procedure 2016-28](#), which includes the inflation-adjusted HSA contribution limits for 2017

### HIGHLIGHTS

#### ANNUAL LIMITS

- 2016: \$3,350 for single coverage and \$6,750 for family coverage
- 2017: \$3,400 for single coverage and \$6,750 for family coverage
- The \$1,000 limit on catch-up contributions is not adjusted for inflation

#### SPECIAL RULE FOR SPOUSES

- This rule applies even if one spouse has family HDHP coverage and the other has self-only HDHP coverage, or if each spouse has family HDHP coverage that does not cover the other spouse.
- It does not apply to catch-up contributions. Married couples who both are over age 55 may each make an additional \$1,000 contribution to their separate HSAs.

This Compliance Overview is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice.



## HSA Contribution Limits for Spouses

	Spouse has no health plan coverage	Spouse has self-only non-HDHP coverage	Spouse has self-only HDHP coverage	Spouse has family non-HDHP coverage	Spouse has family HDHP coverage
Married employee with self-only non-HDHP coverage	No HSA contributions	No HSA contributions	Spouse may contribute up to \$3,350 for 2016 (\$3,400 for 2017). No contributions for employee.	No HSA contributions	Spouse may contribute up to \$6,750 (2016 and 2017). No contributions for employee.
Married employee with self-only HDHP coverage	Employee may contribute up to \$3,350 for 2016 (\$3,400 for 2017). No contributions for spouse.	Employee may contribute up to \$3,350 for 2016 (\$3,400 for 2017). No contributions for spouse.	Both employee and spouse are eligible for HSA contributions. Each may contribute up to \$3,350 for 2016 (\$3,400 for 2017) to their respective HSAs.	No HSA contributions if employee is covered under spouse's coverage. If not covered, employee may contribute up to \$3,350 for 2016 (\$3,400 for 2017). No contributions for spouse.	Both employee and spouse are eligible for HSA contributions and are treated as having only the family coverage. The maximum contribution limit (to be allocated between them) is \$6,750 (2016 and 2017).
Married employee with family non-HDHP coverage	No HSA contributions	No HSA contributions	No HSA contributions if spouse is covered under employee's coverage. If not covered, spouse may contribute up to \$3,350 for 2016 (\$3,400 for 2017). No contributions for employee.	No HSA contributions	No HSA contributions if spouse is covered under employee's coverage. If not covered, spouse may contribute up to \$6,750 (2016 and 2017). No contributions for employee.
Married employee with family HDHP coverage	Employee may contribute up to \$6,750 (2016 and 2017). No contributions for spouse.	Employee may contribute up to \$6,750 (2016 and 2017). No contributions for spouse.	Both employee and spouse are eligible for HSA contributions and are treated as having only the family coverage. The maximum contribution limit (to be allocated between them) is \$6,750 (2016 and 2017).	No HSA contributions if employee is covered under spouse's coverage. If not covered, employee may contribute up to \$6,750 (2016 and 2017). No contributions for spouse.	Both employee and spouse are eligible for HSA contributions and are treated as having only the family coverage. The maximum contribution limit (to be allocated between them) is \$6,750 (2016 and 2017).