

2021 HSA Contribution Rules

for Married Couples

		Spouse 1*				
		No Coverage	Self-Only non-HDHP	Self-Only HDHP	Family non-HDHP	Family HDHP
Spouse 2*	No Coverage	Neither person is eligible to contribute to an HSA.	Neither person is eligible to contribute to an HSA.	Spouse 1 is eligible and may contribute up to \$3,600 ¹ , but spouse 2 is not eligible to contribute to an HSA.	Neither person is eligible to contribute to an HSA.	Spouse 1 is eligible and may contribute up to \$7,200 ¹ , but spouse 2 is not eligible to contribute to an HSA unless he/she is covered under spouse 1's HDHP. In this case the maximum combined contribution of \$7,200 ² must be divided between them based on agreement. ³
	Self-Only non-HDHP	Neither person is eligible to contribute to an HSA.	Neither person is eligible to contribute to an HSA.	Spouse 1 is eligible and may contribute up to \$3,600 ¹ , but spouse 2 is not eligible to contribute to an HSA.	Neither person is eligible to contribute to an HSA.	Spouse 1 is eligible and may contribute up to \$7,200 ¹ , but spouse 2 is not eligible to contribute to an HSA.
	Self-Only HDHP	Spouse 2 is eligible and may contribute up to \$3,600 ¹ , but spouse 1 is not eligible to contribute to an HSA.	Spouse 2 is eligible and may contribute up to \$3,600 ¹ , but spouse 1 is not eligible to contribute to an HSA.	Both people are eligible to have their own HSA and the maximum that can be contributed to each HSA is \$3,600 ² .	Neither is eligible to contribute unless spouse 2 is not covered under spouse 1's non-HDHP plan. In that case spouse 2 may contribute up to \$3,600 ¹ to an HSA.	Both people are eligible and treated as if they have family coverage. Their maximum combined contribution of \$7,200 ² must be divided between them based on agreement. ³
	Family non-HDHP	Neither person is eligible to contribute to an HSA.	Neither person is eligible to contribute to an HSA.	Neither is eligible to contribute unless spouse 1 is not covered under spouse 2's non-HDHP plan. In that case spouse 1 may contribute up to \$3,600 ¹ to an HSA.	Neither person is eligible to contribute to an HSA.	Spouse 1 is only eligible to contribute up to \$7,200 ¹ if he/she is not covered under spouse 2's non-HDHP plan. Spouse 2 is not eligible to contribute to an HSA.
	Family HDHP	Spouse 2 is eligible and may contribute up to \$7,200 ¹ , but spouse 1 is not eligible to contribute to an HSA unless he/she is covered under spouse 2's HDHP. In this case the maximum combined contribution of \$7,200 ² must be divided between them based on agreement. ³	Spouse 2 is eligible and may contribute up to \$7,200 ¹ , but spouse 1 is not eligible to contribute to an HSA.	Both people are eligible and treated as if they have family coverage. The maximum combined contribution of \$7,200 ² must be divided between them based on agreement. ³	Spouse 2 is only eligible to contribute up to \$7,200 ¹ if he/she is not covered under spouse 1's non-HDHP plan. Spouse 1 is not eligible to contribute to an HSA.	Both people are eligible and treated as if they have family coverage. The maximum combined contribution of \$7,200 ² must be divided between them based on agreement. ³

Note: This contribution chart assumes neither spouse is enrolled in Medicare or Medicaid

*Revenue Ruling 2013-17, 2013-38 IRB. The IRS has ruled that same-sex couples who were legally married in a jurisdiction that recognizes same-sex marriages will be treated as married for all federal tax purposes, even if the couple lives in a jurisdiction that does not recognize the validity of same-sex marriages. For federal tax purposes, the terms "spouse", "husband and wife", "husband", and "wife" include an individual married to a person of the same sex if the individuals are lawfully married under state law, but that such terms do not include individuals who have entered into a registered domestic partnership, civil union, or similar formal relationship recognized under state law that is not denominated as a marriage under that state law.

¹ An additional catch-up contribution of \$1,000 may be contributed if the eligible account holder is over age 55.

² If both spouse 1 and spouse 2 are over 55, they may each contribute an additional \$1,000, as long as they each have their own HSA.

³ See IRS Notice 2008-59, Q&A #17

• An HDHP is an HSA-qualified high deductible health plan, with minimum annual deductibles and annual out-of-pocket maximums, as defined and indexed annually by US Treasury Department.

• Family HDHP coverage is any level of coverage other than self-only coverage. Family coverage does not have to include the other spouse.

• Individuals who are eligible for a partial year and plan to contribute the annual maximum must remain eligible for the following calendar year to avoid additional taxes and penalties.

• Regardless of the applicable HSA contribution scenario (above), HSA funds may always be spent to pay for qualified medical expenses for the account holder, spouse and federal tax dependents.

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