

REQUIRED GROUP HEALTH PLAN NOTIFICATIONS FOR EMPLOYEES

Employers of all sizes sponsoring group health plans are responsible for providing certain notifications to employees. Whether a particular notice applies will depend on the state of an employee's employment cycle. This brief summary provides a quick overview of which notices apply during important time periods, and may need to be revisited frequently during the year.

Employers of all sizes sponsoring group health plans are responsible for providing certain notifications to employees.

NEW HIRES/UPON ELIGIBILITY FOR HEALTH PLAN (INCLUDE IN ENROLLMENT PACKET)

- Employer CHIP Notice*
- HIPAA Notice of Special Enrollment Rights*
- Medicare Part D Creditable/Non-creditable Disclosure Notice to Eligible Individuals*
- Notice of Availability of Reasonable Alternative Standard for Activity-only or Outcomes-based Wellness Programs (include within all plan materials describing terms of wellness program)
- Notice of Exchange* (provided to all new hires, regardless of eligibility for health plan, within 14 days of hire)
- Summary of Benefits and Coverage (SBC)*

UPON ENROLLMENT IN HEALTH PLAN

- Summary Plan Description (SPD)* and any Summaries of Material Modification (SMMs)* (within 90 days of participation)
- Grandfathered Health Plan Notice (in SPD; for grandfathered plans)*
- HIPAA Notice of Privacy Practices (for self-insured or fully insured "hands on" employer; at the time of enrollment)
- Initial COBRA Notice (provide to newly covered employee and covered spouse within 90 days of coverage begin date)
- Internal Appeals and External Review Procedures (in SPD; for non-grandfathered plans)*
- Mothers' and Newborns' Health Protection Act (in SPD)*
- Notice of Availability of Reasonable Alternative Standard for Activity-only or Outcomes-based Wellness Programs (include within all plan materials describing terms of wellness program)
- Patient Protections Notice (in SPD; for non-grandfathered plans)*
- Women's Health and Cancer Rights Act Enrollment Notice (in SPD)*



ONGOING

Annually

- 1095-B to responsible individuals by Jan. 31 of the following year (for self-insured employers with <50 FTEs)***
- 1095-C to responsible individuals by Jan. 31 of the following year (for large employers with 50 or more FTEs)***
- Form W-2 cost of employer-sponsored health coverage reporting requirement (must provide by Jan. 31)
- Health savings account (HSA) Notice Regarding Employer Contributions (applies if HSA contributions are made outside of Section 125 plan; provide notice only to HSA-eligible employees no later than 90 days before first employer HSA contribution and no later than Jan. 15 of the following calendar year)**
- Medicare Part D Creditable/Non-creditable Disclosure Notice to Eligible Individuals (includes COBRA and retiree participants; must provide prior to Oct. 15)*
- Summary Annual Report to covered participants (for plans filing a Form 5500; within nine months of the plan year-end)*

During open enrollment (include in enrollment packet)

- Employer CHIP Notice (must provide as of first day of plan year; provide to all eligible employees regardless of participation in the plan)*
- Notice of Availability of Reasonable Alternative Standard for Activity-only or Outcomes-based Wellness Programs (include within all plan materials describing terms of wellness program)
- SBC: For open enrollment periods beginning on or after Sept. 23, 2012*
- Women's Health and Cancer Rights Act Annual Notice*

UPON COVERAGE TERMINATION

- COBRA Election Notice (if COBRA triggering event has occurred; within 44 days of termination of employment, employee death, reduction of hours; within 14 days of notification of divorce or child aging out)
- FMLA Notice of Nonpayment of Premium (at least 15 days prior to coverage being terminated)
- Rescission of Coverage (30 days in advance of cancellation of coverage)

The information provided is for educational purposes only. It highlights major federal requirements regarding employer-sponsored health plans. It is not inclusive of all requirements. This document should not be relied upon for legal advice.

*Electronic disclosure permitted in accordance with the U.S. Department of Labor's Electronic Disclosure Regulations.

**Electronic disclosure permitted in accordance with Internal Revenue Service requirements found in Treas. Reg. § 1.401(a)-21.

***For reporting on 2015 activity only, the IRS has extended the deadlines for distributing Forms 1095-B and 1095-C to responsible individuals to March 31, 2016.

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