

Five To-Do Items for Your Year-End Compliance Check List



The leaves are changing color, the pumpkins are out, and the healthcare reform drama continues. As we head towards the end of the year, here are the to-do items for your compliance checklist that you won't want to miss.

✓ **1. Ensure you're on top of the latest leave law provisions.**

Employee leaves of absence laws continue to change rapidly and can significantly affect health plan administration. New York and Washington are the most recent states to implement paid leave laws that have benefits continuation provisions similar to those under FMLA, with a number of states poised to pass similar provisions.

✓ **2. Review your premiums if you use a Pay or Play affordability safe harbor.**

The indexed affordability percentage will be reduced in 2018 to 9.56% (down from 9.69% in 2017). This means that the employee contribution cannot exceed 9.56% of W-2 wages, the employee's "rate of pay" (hourly wage x 130 hours), or the Federal Poverty Level for a single individual. Remember, use of an affordability safe harbor is not required, but it is an easy way to reduce penalty risk.

✓ **3. Prepare your ACA reporting to comply with applicable deadlines.**

Be sure you are working to comply with 2017 ACA reporting deadlines. It's unclear whether the good faith reporting standards and extended deadlines that applied in previous years will apply again this year. In the past, this guidance has issued as late as December. Your preparations should include

Form 1095-C distribution and required IRS filings on Form 1094-C. Form 1095-C is due to employees and participants by January 31, 2018. IRS filings are due on February 28, 2018 for paper filers and April 2, 2018 for electronic filers.

✓ **4. Make sure you have met your annual notice requirements.**

Employee group health plan notice requirements consistently pose administrative challenges. Most notices can be provided via annual open enrollment materials, including the Medicare Part D notice. Take a look at your open enrollment materials and your notices to ensure you are compliant. Alliant has a turn-key open enrollment solution that includes the required notices to help you meet your obligation.

✓ **5. Verify that your plan complies with mental health parity rules.**

Most plans provide mental health services coverage. If yours does, be aware that the Department of Labor's enforcement guidelines indicated that mental health parity enforcement is a national priority. Mental health parity laws prohibit more restrictive financial requirements and treatment limitations for mental health and substance use disorder services than for other medical or surgical services.

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