



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.

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*
- 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)*
- Newborns and Mothers 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 nongrandfathered plans)*
- Women's Health and Cancer Rights Act Enrollment Notice (in SPD)*

Ongoing

Annually to covered participants

- 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 (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: New 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)
- HIPAA Certificate of Creditable Coverage (same time frame as COBRA Election Notice). This requirement expires Dec. 31, 2014.
- 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.

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