



REYNOLDS & REYNOLDS INC.

Checklist for Required Health Care Reform Notices

Health care reform through the Patient Protection and Affordable Care Act requires employer sponsored health plans to provide certain notices to be distributed prior to the plan renewal. Depending on the size and type of the employer sponsored health plan, insurance carriers might incorporate some of the required changes and notice requirements in their plan documents. It is important, however, that employers be aware of the requirements and distribute any notices that are not provided by the insurance carrier as the employer is ultimately responsible for compliance.

Notices may be provided to an employee on behalf of the employee's dependent. The notices may also be included with other enrollment materials (summary plan descriptions or open enrollment material) that a plan distributes to employees, provided the statement is prominent.

Following is a checklist of the required notices to distribute **prior to** the first day of the plan year **beginning on or after September 23, 2010** (unless another deadline has been determined):

- Provide notice that eligibility for dependent coverage has been extended for children up to age 26 and that a special enrollment period is available for eligible dependents**

A model notice can be found at www.dol.gov/ebsa/dependentsmodelnotice.doc

- Provide notice to participants affected by a lifetime limit (including former participants that are otherwise eligible for coverage) that the lifetime limit no longer applies to them and they are eligible for a special enrollment opportunity if they are no longer enrolled in the plan**

A model notice can be found at www.dol.gov/ebsa/lifetimelimitsmodelnotice.doc

- Provide required disclosure notice regarding grandfathered status**
 - Employers need to determine whether or not the health plan offered is considered grandfathered. A grandfathered plan is one that was in existence as of March 23, 2010. Certain changes to the plan can cause the plan to lose grandfathered status. Please contact your Reynolds & Reynolds representative if you have questions about grandfathered status.

- If any of the health plans are considered grandfathered, the plan must include a statement, in any plan materials provided to a participant or beneficiary describing the benefits provided under the plan, that the plan believes it is a grandfathered health plan within the meaning of the Patient Protection and Affordable Care Act and must provide contact information for questions and complaints.

A model notice can be found at

www.dol.gov/ebsa/grandfatherregmodelnotice.doc

- Provide written notice to each participant affected at least 30 days in advance of rescission of coverage**
 - A group health plan may not rescind a participant's coverage (terminate retroactively) except in the case of fraud or the individual's intentional representation of a material fact, as prohibited by the plan terms.
 - Specifics of the no-rescission rule are still not clear. Your insurance carrier or administrator may provide guidance on how to administrate the rule.

A model notice has not been created.

If the health care plan is ***not grandfathered***, the following required notices must also be distributed:

- Provide notice regarding the patient protections that are available relating to access to primary care physicians, emergency services, pediatric care and OB/GYN services**

A model notice can be found at www.dol.gov/ebsa/patientprotectionmodelnotice.doc

- Provide notice regarding claims, appeals and review procedures**
 - Self-insured plans should review and analyze current claims and appeal procedures to determine whether changes are necessary to the procedures and/or to administrative services agreements in light of the new requirements.
 - For fully-insured groups, your insurance carrier should be following the new requirements.

Model notices to help comply with these new rules can be found at

www.dol.gov/ebsa/IABDModelNotice1.doc

www.dol.gov/ebsa/IABDModelNotice2.doc

www.dol.gov/ebsa/IABDModelNotice3.doc

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