

Agencies Update Group Health Plan Required Disclosure Documents

February 20, 2020

Federal agencies recently issued updated versions of certain documents that are required to be disclosed to individuals under applicable employer-sponsored group health plans. A set of FAQs regarding the Affordable Care Act (**ACA**) was issued by the federal Departments of Labor (**DOL**), Health and Human Services (**HHS**), and Treasury (collectively, the **Departments**), which describe recent changes made by the Departments to the summary of benefits and coverage (**SBC**) template under the ACA (**SBC**). Among other minor changes to the SBC, certain verbiage on the SBC and the associated uniform glossary were revised to reflect the prior elimination, as of January 1, 2019, of the tax penalty related to an individual's failure to comply with the so-called individual mandate under the ACA. The FAQs also provide additional guidance regarding the updated SBC coverage examples calculator that was released by HHS late last year. The revised SBC and SBC coverage examples calculator each become effective as of the first day of the first open enrollment period for any plan years that begin on or after January 1, 2021, with respect to coverage for plan years beginning on or after that date. The DOL's Employee Benefit Security Administration (**EBSA**) also recently issued its revised Model Notice for Employers Regarding Premium Assistance Opportunities (**CHIP Notice**), which describes premium assistance that may be available from a state's Medicaid agency or Children's Health Insurance Program to individuals who are eligible for coverage under an employer-sponsored group health plan. The CHIP Notice was revised to reflect the list of states that offer a premium assistance program and their current contact information as of January 31, 2020. Although the changes to the SBC and the CHIP Notice were not substantial, employer-sponsors of group health plans that are subject to the SBC and/or CHIP Notice requirements must ensure that they or their third-party service providers, as applicable, are using the updated versions of the SBC and CHIP Notice when they go into effect. A link to the Departments' FAQs regarding the SBC is available here: [Department FAQs, Part 41: Summary of Benefits and Coverage \(PDF\)](#). A link to the EBSA's revised CHIP Notice (English and Spanish versions) is available here: [CHIP Notice \(English\)](#); [CHIP Notice \(Spanish\)](#).