

Proposed Rules Permit New Ways to Electronically Distribute Group Health Plan Documents

July 29, 2026

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The DOL recently issued proposed regulations under ERISA that create additional safe harbors for distributing group health plan documents electronically. The proposed regulations would create similar safe harbors for the electronic distribution of group health plan documents as apply to retirement plan documentation under regulations issued in 2020. However, the proposed regulations do not expand the proposed safe harbors to other types of welfare plans, such as life and disability insurance plans. For example, this means that employers would still have to satisfy the current electronic distribution requirements when distributing the “wrap-SPD” that includes non-health plan benefits. Comments on the proposed regulations are due in September 2026. Employers cannot rely on the new proposed safe harbors until regulations are finalized.

The proposed regulations are available [here](#).