AVERTA®
INSURANCE SOLUTIONS



Compliance - It's The Law

Averta Insurance Solutions Inc.

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Did You Know...

Small business employers are fighting a never-ending battle to comply with the evolving federal requirements and deadlines, and are faced with an increasing threat of audits at the same time. It's a lot to manage, and penalties for non-compliance are costly.

Averta Insurance Solutions can help you stay protected all year, every year, with our wide selection of Compliance Solutions to handle the work and worry for you.

Refer to the information and checklist worksheet within this document, to see how much your business is - or is not - currently in compliance. Then, connect with an Averta agent to start putting a plan together to help you maintain compliance moving forward.

1-19 Employees • Mandatory Requirements

- ERISA
- Annual ERISA and ACA Notices
- Annual Medicare Part D Notice
- HIPAA (if FSA, HSA, or self-insured Medical plan and managed by a third party)
- ACA Employer Reporting (self-insured)

20-49 Employees • Mandatory Requirements

- ERISA
- Annual ERISA and ACA Notices
- Annual Medicare Part D Notice
- HIPAA (if FSA, HSA, or self-insured Medical plan and managed by a third party)
- ACA Employer Reporting (self-insured)
- COBRA

50-99 Employees • Mandatory Requirements

- ERISA
- Annual ERISA and ACA Notices
- Annual Medicare Part D Notice
- HIPAA (if FSA, HSA, or self-insured Medical plan and managed by a third party)
- ACA Employer Reporting (self-insured)
- COBRA
- FMLA

100+ Employees • Mandatory Requirements

- ERISA
- Annual ERISA and ACA Notices
- Annual Medicare Part D Notice
- HIPAA (if FSA, HSA, or self-insured Medical plan and managed by a third party)
- ACA Employer Reporting (self-insured)
- COBRA
- FMLA
- IRS Form 5500

Additional Compliance Services

FSA, HRA, HSA, PayPath and Premium Only Plan (POP).

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ERISA Compliance

- Document preparation:
  - Plan Document and Summary Plan Description (SPD) known as wrap plan or mega-wrap plan
  - IRS Form 5500 and associated Schedule(s); secure software for uploading to DOL
  - Summary Annual Report (SAR)
  - Summary of Material Modification (SMM)
- Prepares required ERISA notices for eligible employees
  - ERISA and ACA notices (optional - additional fee)
  - Medicare Part D notices (optional - additional fee)
- Provides assistance during a DOL audit
- Provides amendments due to regulatory updates
- Maintains required records for the mandated amount of time
- Provides guidelines for disclosing information

ERISA and ACA Notices

- If your Plan is Grandfathered, the following Health Plan Notices are required:
  - Grandfathered Model Notice
  - WHCRA Notice (Women's Health and Cancer Right Act)
  - CHIPRA Notice (Children's Health Insurance Program Reauthorization Act)
  - HIPAA Special Enrollment Rights Notice
- If your Plan is Non-Grandfathered, the following Health Plan Notices are required:
  - Patient Protection Notice - Choice of Providers
  - WHCRA Notice (Women's Health and Cancer Right Act)
  - CHIPRA Notice (Children's Health Insurance Program Reauthorization Act)
  - HIPAA Special Enrollment Rights Notice

Medicare Part D Notice

- Assists in compliance with Medicare Part D requirements
- Removes burden of researching and creating documentation
- Fosters peace of mind
- Helps employers avoid fines and penalties
- Provides easy to understand materials and directions

HIPAA Compliance

- Delivers compliance with HIPAA requirements and regulations for self-funded plans
- Alleviates the burden of researching compliance needs, creating documentation, and more
- Can assist employers in avoiding fines and penalties
- Provides easy-to-understand materials and directions for maintaining compliance with HIPAA Privacy and Security rules
- Stays abreast of changing regulations

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COBRA

- Assumes full responsibility for all required administrative procedures and regulations
- Easy-to-understand account reports to monitor your COBRA activities
- Easy enrollment with a simple set-up kit helps you establish your Plan
- Employee ACH for online premium payments and immediate on-screen confirmation
- Customized "on hold" messaging for Continuees

FMLA

- Consultative session to review Leave policies
- Full review of FMLA eligibility and entitlement
- Fair and impartial application of FMLA regulations and policies
- Tracking of employee leave
- Documentation of all communications
- FMLA activity reports online 24/7
- Multiple methods to report an FMLA event
- Immediate notification of denial or acceptance
- Staff training on FMLA regulations
- Dedicated account management team

ACA Employer Reporting

- Provides tools to determine if your organization is an ALE (Applicable Large Employer)
- Provides tools to determine if your Plan meets the minimum essential requirements, and what, if any transitional relief is available
- Tracks variable hour employees; if they become full-time during any month of the year they must be offered health coverage
- Compiles employee and health coverage information for reporting to the IRS and your employees.
- Completes required IRS Forms and assists with timely filing and distribution
- Includes an exclusive Audit Guarantee

Premium Only Plan (POP)

- Plan enrollment and implementation with a simple set-up kit (online or paper)
- Administrative manuals and quick reference guide
- Plan design consultation and review, including Section 125 Plan Document, SPD, annual Non-Discrimination assessment
- Client communications including blogs and newsletters
- Audit Guarantee

So How Compliant is Your Business Today?

Use the following checklist to see how compliant your business really is. Then reach out to an Averta agent to formulate a plan to maintain your compliance moving forward.

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Compliance Checklist

1. Do your employees pay for their share of their premiums (medical, dental, vision) on a pre-tax basis, thus making you subject to a **Section 125 PREMIUM ONLY PLAN (POP)**? ○ Yes ○ No

2. Do your employees pay for their personal HSA contributions on a pre-tax basis? ○ Yes ○ No

   If so, what is your current solution? _____

3. Do you have a federal **ERISA** wrap plan document/Summary Plan Description **(SPD)** in place and updated Summary of Material Modification (**SMMs)** for each Health & Welfare benefit offered, even if just one employee participates on one group-sponsored plan? ○ Yes ○ No

   If so, what is your current solution? _____

4. Do you have over 100 participants on any benefit plan on day 1 of your plan year, thus making you subject to **ERISA** reporting requirements of filing a **FORM 5500** for Health and Welfare benefits? ○ Yes ○ No

   If so, what is your current solution? _____

5. Do you individually distribute required **DOL Health Care Reform and PPACA Notices** to participants if you offer a group-sponsored health plan? ○ Yes ○ No

   If so, what is your current solution? _____

6. Do you offer a group-sponsored **Prescription** plan, thus making you subject to **Medicare Part D CMS** reporting and notice distribution? ○ Yes ○ No

   If so, what is your current solution? _____

7. Did you employ 20 or more employees in the prior year, thus making you subject to federal **COBRA** regulations? ○ Yes ○ No

   If so, what is your current solution? _____

8. Are you a private-sector employer with 50 or more employees in 20 or more weeks of the current or preceding calendar year; or a public agency of any size, thus requiring you to offer **FMLA** to your employees? ○ Yes ○ No

   If so, what is your current solution? _____

9. Are you an **Applicable Large Employer (ALE)** under the Employer Shared Responsibility Mandate of the ACA, thereby needing to comply with **ACA Employer Reporting** and Forms 1094 and 1095? ○ Yes ○ No

   If so, what is your current solution? _____

10. Do you offer a self-funded health plan, **HRA** or **FSA** administered through a third-party administrator, thus making you subject to **HIPAA** Security and Privacy Policies? ○ Yes ○ No

    If so, what is your current solution? _____

11. Do you offer a self-funded health plan, HRA plan or non-excepted FSA which is subject to Patient-Centered Outcomes Research Institute **(PCORI)** fees? ○ Yes ○ No

    If so, what is your current solution? _____

12. Do you need assistance with stand-alone **Non-Discriminatory Testing** for Cafeteria Plans, Dependent Care Plans, Health FSAs, HRAs or Self-insured Medical Plans? ○ Yes ○ No

    If so, what is your current solution? _____

13. If you are located in a city (or have employees working in a city) which requires **Transit Benefits** to be offered (Washington DC, New York, San Francisco), do you offer a compliant service? ○ Yes ○ No

    If so, what is your current solution? _____

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Next-Generation Insurance Benefits, Admin, and Compliance Solutions for Employer Groups.



Connect with Averta today!

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