

NOTICE REQUIREMENTS UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA)**Client Alert - PPACA Notices**OVERVIEW

Health Care Reform under the Patient Protection and Affordable Care Act (PPACA) and the Health Care and Education Reconciliation Act of 2010 (HCERA) brings many requirements and changes for Employers and Group Health Plans. Several provisions of the law include specific notice requirements for Group Health Plans.

WHAT SPECIFIC NOTICES ARE REQUIRED AND WHEN IS THE GROUP HEALTH PLAN REQUIRED TO PROVIDE THEM?**Notice of Enrollment Opportunity in Connection with the Extension of Dependent Coverage to Age Twenty-Six**

1. A Group Health Plan that offers dependent coverage is required to make such coverage available to dependent children up to the age of twenty-six and to provide a one time enrollment opportunity. The special enrollment opportunity and the written notice must be provided no later than the first day of the first Plan year beginning on or after September 23, 2010. The Special Enrollment Period must continue for thirty days.

Notice of Enrollment Opportunity in Connection with the Elimination of the Lifetime Maximum Benefit

2. A Group Health Plan can no longer apply a lifetime maximum benefit effective with the first day of the first Plan year beginning on or after September 23, 2010. For individuals whose coverage ended due to reaching the Group Health Plan's lifetime maximum benefit the Group Health Plan must provide a one time enrollment opportunity. The special enrollment opportunity and the written notice must be provided no later than the first day of the first Plan year beginning on or after September 23, 2010. The Special Enrollment Period must continue for thirty days.

Grandfathered Group Health Plan Disclosure Notice

3. A Group Health Plan that wishes to maintain status as a Grandfathered Group Health Plan must include a notice in any Plan communications that are distributed that the Group Health Plan believes it is a Grandfathered Group Health Plan. Plan communication may include Open

Enrollment Information, Plan Documents, Benefit Booklets and New Hire Packets.

Note: The Grandfathered Group Health Plan Disclosure Notice is NOT required for a Non Grandfathered Group Health Plan.

WHERE CAN THE GROUP HEALTH PLAN OBTAIN THE REQUIRED NOTICES?

Samples of the required notices are attached. These notices can be included with other information being distributed to employees.

What is the Plan Administrator's Responsibility?

Plan Administrators must distribute notices, to all employees, *regardless of whether they are covered under the Group Health Plan.* Employees must receive notices as shown below:

- **Grandfathered Plans** - All employees must receive:
 - Notice of Enrollment Opportunity in Connection with Dependent Coverage to Age Twenty-Six;
 - Notice of Enrollment Opportunity in Connection with the Elimination of the Lifetime Maximum; and
 - Grandfathered Group Health Plan Disclosure Notice
- **Non Grandfathered Plans** – All employees must receive:
 - Notice of Enrollment Opportunity in Connection with Dependent Coverage to Age Twenty-Six; and
 - Notice of Enrollment Opportunity in Connection with the Elimination of the Lifetime Maximum

Please contact your Account Executive if you have any questions or require further information.

What is BAS's Responsibility?

BAS continues to analyze the legislation, on behalf of our clients, and will advise additional clarifications as they become available.