

Hamilton Headlines

JUNE 1, 2015

HIA

Hamilton Insurance Agency

ALAN J. ZUCCARI, INC



**Join Us for a
Complimentary
Webinar**

**Reporting
Requirements for
Health Care Providers**

**Wednesday, June 10th
2PM - 3PM E.S.T**

Presented by
Larry Grudzien
ERISA Attorney

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**CVS to Buy
Omnicare in**

5 Ways to Ensure Compliance with ACA's Employer Shared Responsibility

Reporting requirements under the Affordable Care Act call for high levels of coordination between payroll and HR departments. One of the biggest changes this year is the employer shared responsibility provisions that went into effect for many large employers. Correct payroll data is vital to the end-of-year reporting process and in assessing whether an employer is subject to the provisions. Mike Trabold, director of compliance risk at Paychex, shares five best practices to ensure accuracy and help reduce the likelihood of penalties.

Coordinate with HR for accurate reporting

Payroll provides much of the data needed for Forms 1094C and 1095C, used for end-of-year reporting for the 2015 tax year. The information needed to determine employer status, coverage affordability and eligible employees requires new levels of communication among departments.

Know the appropriate reporting time periods

Employers may choose a look-back period of between three months and one year as the standard measurement period. Employee hours of service during this period are used to determine the full-time status for the subsequent stability period, and payroll needs to ensure the data provided covers the appropriate time period.

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New FMLA and Medical Certification Notices Are Available

Pharmacy Expansion Deal

Bloomberg -- CVS Health Corp., the biggest U.S. retailer of prescription drugs, agreed to acquire nursing-home pharmacy Omnicare Inc. for a total enterprise value of \$12.7 billion.

CVS will pay \$98 per share in cash, the companies said in a statement on Thursday. Omnicare, with a market value of about \$9.2 billion, hired advisers to explore a sale earlier this year. The deal includes about \$2.3 billion in debt.

Omnicare delivers drugs and helps senior-living facilities manage residents' medications. CVS is the nation's second-largest pharmacy benefits manager, handling drug plans for health insurers and employers. In its most recent quarter, growth in sales from that business far outpaced the company's retail division.

"CVS Health will significantly expand its ability to dispense prescriptions in assisted living and long term care facilities, serving the senior patient population" with the transaction, it said.

Both companies are big in Medicare Part D, a federal program that subsidizes medicine for retirees, Charles Rhyee, a New York-based analyst for Cowen Group Inc., said in an interview last month. Omnicare also drew interest from industry leader Express Scripts Holding Co., people with knowledge of the matter said last month.

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Feds Say That In Screening Colonoscopies, Anesthesia

The Department of Labor posted the new model FMLA notices and medical certification forms over the Memorial Day weekend. Their expiration date is May 31, 2018!

In the instructions to the health care provider on the certification for an employee's serious health condition, the DOL has added the following simple instruction:

Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b). DOL added similar language to the other medical certification forms as well. For easy reference, here are the links to the new FMLA forms:

- WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition
<http://www.dol.gov/whd/forms/WH-380-E.pdf>

- WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition
<http://www.dol.gov/whd/forms/WH-380-F.pdf>

- WH-381 Notice of Eligibility and Rights & Responsibilities
<http://www.dol.gov/whd/forms/WH-381.pdf>

- WH-382 Designation Notice
<http://www.dol.gov/whd/forms/WH-382.pdf>

- WH-384 Certification of Qualifying Exigency For Military Family Leave
<http://www.dol.gov/whd/forms/WH-384.pdf>

- WH-385 Certification for Serious Injury or Illness of Current Servicemember - for Military Family Leave
<http://www.dol.gov/whd/forms/WH-385.pdf>

- WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave
<http://www.dol.gov/whd/forms/wh385V.pdf>

The forms also can be accessed from this DOL web page. Click on the link below:

<http://www.dol.gov/whd/fmla/2013rule/militaryForms.htm>

DID YOU KNOW? Top Headlines of the Week

-- The federal government on Tuesday unveiled a long-awaited regulatory package that sets national standards for

Comes With No Charge

The federal government clarified that insurers can't charge people for anesthesia administered during a free colonoscopy to screen for colorectal cancer. That's good news for consumers, some of whom have been charged hundreds of dollars for anesthesia after undergoing what they thought would be a free test. But the government guidance leaves important questions unanswered.

Under the health law, most health plans have to provide care that's recommended by the U.S. Preventive Services Task Force without charging members anything out of pocket. The only exception is for plans that have grandfathered status under the law.

That task force, a nonpartisan group of medical experts, recommends that starting at age 50 people periodically receive either a colonoscopy, sigmoidoscopy or fecal occult blood test to screen for colorectal cancer.

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managed care under Medicaid, marking the biggest changes to the growing program in more than a decade. The nearly 700-page rule, described by some groups as an "uber rule," contains instructions about what state Medicaid programs must do when hiring private health plans to handle long-term care for the elderly and disabled - also known as managed care.

-- The IRS believes that a major cyber breach that allowed criminals to steal the tax returns of more than 100,000 people originated in Russia, two sources briefed on the data theft tell CNN. On Tuesday, the Internal Revenue Service announced that organized crime syndicates used personal data obtained from elsewhere to access tax information, which they then used to file \$50 million in fraudulent returns.

-- The manufacturer of endoscopes at the center of a string of deadly superbug outbreaks has set aside nearly \$450 million for an expected settlement of a U.S. investigation into its marketing of medical products. Olympus Corp. of Japan did not disclose the details of what federal officials have been investigating other than saying the focus is on possible violations of laws that ban companies from paying kickbacks to doctors and other potential customers.

-- Missouri Gov. Jay Nixon announced that insurer Aetna has agreed to pay \$4.5 million for violations of state law that included paying for elective abortions when the women were not eligible under their policies, marking the largest insurance penalty in state history. A 1983 Missouri law requires that women buy optional insurance for elective abortion coverage.

-- Federal regulators announced Thursday that Teva Pharmaceuticals Industries will pay \$1.2 billion to settle charges that one of its subsidiaries illegally blocked the launch of low-cost generic versions of the blockbuster sleeping pill Provigil.

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Hamilton Insurance, a top ranked independent broker in the Washington DC/Metropolitan Area and the nation, has over 35 years of experience in providing insurance brokerage, risk management and employee benefit solutions. It represents a full suite of commercial, health & welfare, and personal insurance solutions, supported by risk compliance and group benefit administrative services.

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