

Hamilton Headlines

October 12, 2015



IRS Unveils Health Care Page for Large Employers

The new [ACA Information Center for Applicable Large Employers](#) page on IRS.gov features information and resources for employers of all sizes on how the health care law may affect them if they fit the definition of an applicable large employer.

The page includes such sections as trends and resources for ALEs; how to determine if you are an ALE; and outreach materials including FAQs and links to forms, among other materials.

In 2016, ALEs must file an annual information return and provide a statement to each full-time employee reporting whether the company offered health insurance, and if so, what insurance it offered.

Companies that will file 250 or more information returns for 2015 must e-file the returns through the ACA Information Reports system. Draft Publication 5165, "Guide for Electronically Filing Affordable Care Act Information Returns," contains information on the communication procedures, transmission formats, business rules and validation procedures for returns that companies must transmit in 2016.

Although most employers will not be affected, companies should determine if they are an ALE, which comprises an average of at least 50 full-time employees (including full-time equivalents) during 2014. A company with fewer than 50 full-time employees maybe an ALE, if it shares a common ownership with other employers.

HHS Issues Rules to Advance Electronic Health Records with

Health Law Revision is Approved

Note: This legislation applies to the change in the definition of "small employer" under the Insurance Mandates and not to the Employer Mandate.

WASHINGTON - The Senate passed legislation on Thursday intended to protect small and midsize businesses from increases in health insurance premiums, clearing the bill for President Obama's expected signature.

The action by Congress was a rare example of bipartisan agreement on how to revise the Affordable Care Act.

The bill, approved this week in the House and the Senate by voice vote, eliminates a provision of the law that would have imposed tough, potentially costly new requirements on businesses with 51 to 100 employees.

A White House spokeswoman confirmed that Mr. Obama would sign the bill, but she declined to discuss its substance. Recent comments by administration officials suggested that they did not particularly like the legislation but could not stop the growing wave of bipartisan support for it.

At issue is a provision of the health care law that expands the definition of a "small employer" to include companies with 51 to 100 employees, subjecting them to stringent insurance regulation starting Jan. 1. States have historically defined small employers as those with 50 or fewer employees.

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NYC & Washington D.C. Join San Francisco with New Mandatory Commuter Benefits

San Francisco's Bay Area Commuter Benefits Program has been joined by New York City and Washington D.C., employers in both will be subject to mandatory commuter benefit ordinances.

The requirements in both cities go into effect January 1, 2016, so now is the perfect time to start looking into whether the law impacts you as an employer.

If you are an employer in NYC and have 20 or more full-time employees (working an average of 30 hours or more per week) then you are required to offer a qualified transportation plan other than for qualified parking.

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Added Simplicity and Flexibility

The Centers for Medicare & Medicare Services (CMS) and office of the Health Information Technology (ONC) today released final rules that simplify requirements providers to make electronic health information available when and where it matters most and for health care providers and consumers to be able to readily, safely, and securely exchange that information. The final rule for 2015 Edition Health IT Certification Criteria (2015 Edition) and final rule with comment period for the Medicare and Medicaid Electronic Health Records (EHRs) Incentive Programs will help continue to move the health care industry away from a paper-based system, where a doctor's handwriting needed to be interpreted and patient files could be misplaced.

[Read on](#)

Federal Government Seeks Out Uninsured for ACA Enrollment

The health law's upcoming enrollment period may be its toughest yet, with federal officials promising a vigorous outreach campaign to enroll millions of eligible yet hard-to-reach Americans who have yet to sign up for health insurance.

"Those who are still uninsured are going to be a bigger challenge," Department of Health and Human Services Secretary Sylvia Mathews Burwell said Tuesday in remarks to the Howard University College of Medicine.

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DID YOU KNOW?

Top Headlines of the Week

--The governor of California signed Aid-in-Dying Measure, the bill will permit physicians to provide lethal prescriptions to mentally competent adults who have been diagnosed with a terminal illness and face the expectation that they will die within six months. The law will take effect 90 days after the Legislature adjourns its special session on healthcare, which may not be until next year - January at the earliest, November at the latest.

--According to the National Action Plan to Prevent Health Care-Associated Infections, the top infections found in long-term care facilities include urinary tract infections, lower respiratory tract infections, skin and soft tissue infections, and gastroenteritis.

--The District, supported by a majority of the DC Council, will consider new legislation that would allow almost every part-time and full-time employee in the nation's capital be entitled to 16 weeks of paid family leave to bond with an infant or an adopted child, recover from an illness, recuperate from a military deployment or tend to an ill family member.

--According to USA Today, one of every three children in the United States is overweight or obese. About 27% of young Americans are too overweight to join the military. Children who are obese are at higher risk for serious diseases - from high blood pressure and joint problems now to heart disease, diabetes and cancer later in life.

Reminders

-- Medicare Part D Notice due by Oct. 15, 2016.

-- Medicare's 2016 Open Enrollment starts Oct. 15, 2016 and ends on December 7, 2016.

-- ACA Reinsurance Fee
November 16, 2016 is the annual deadline to report enrollment count.

The entire 2015 benefit year contribution in one payment is due no later than January 15, 2016 reflecting \$44.00 per covered life; or

In two separate payments for the 2015 benefit year, with the first remittance due by January 15, 2016 reflecting \$33.00 per covered life, and the second remittance due by November 15, 2016 reflecting \$11.00 per covered life.

-- Marketplace/Exchange Open Enrollment starts on November 1, 2015 and ends on January 31, 2015.

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Please note that Hamilton Insurance does not provide legal advice, and this does not constitute advice of any kind for any particular situation. Instead, this is intended as non-comprehensive general information serving as a starting point for further discussion. Please contact your tax and/or legal advisors for information about how these issues affect you.

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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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