

Self-funded Plan Sponsors Annual Compliance Deadlines

Date of Hire	ACA Exchange Notice	<i>Any employer with more than \$1,000 in annual revenue who employs at least one person</i>	The ACA requires employers to provide the Exchange Notice to every new hire within 14 days of their start date. There is no requirement to provide the Exchange Notice to current employees on an annual basis.
January 1	ACA Group Size Determination	<i>Small employers (those that are not considered an Applicable Large Employer (ALE))</i>	Whether an employer is an ALE is determined each calendar year, and generally depends on the average size of an employer's workforce during the prior year. To determine its workforce size for a year, an employer adds its total number of full-time employees for each month of the prior calendar year to the total number of full-time equivalent employees for each calendar month of the prior calendar year and divides that total number by 12. More information on the specifics of this calculation can be found on the IRS website.
January 31	IRS Form W-2 Reporting	<i>Employers that filed 250 or more IRS Forms W-2 for the prior calendar year</i>	Employers that filed 250 or more IRS Forms W-2 for the prior calendar year must include the aggregate cost of employer-sponsored health plan coverage on each employee's Form W-2. This reporting is optional for employers that had to file fewer than 250 Forms W-2 for the prior calendar year. Employers must file Forms W-2 with the Social Security Administration and furnish Forms W-2 to employees by Jan. 31 of each year, unless an extension applies.
February 28	IRS Form 1095-B and Form 1094-B Reporting (paper filing deadline)	<i>Small employers (those that are not considered an Applicable Large Employer (ALE)) that sponsor a self-funded health plan</i>	Code Section 6055 requires employers with self-funded health plans to report certain information to the IRS each year. Small employers that are not ALEs report on IRS Forms 1094-B and 1095-B. Small employers are not required to file these forms electronically but must file the paper versions of the forms with the IRS no later than February 28.

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February 28	IRS Form 1095-C and Form 1094-C Reporting (paper filing deadline)	<i>Large employers (those that are considered an Applicable Large Employer (ALE)) that sponsor a self-funded health plan but will file fewer than 250 1095-C forms</i>	Code Section 6056 requires employers with self-funded health plans to report certain information to the IRS each year. ALEs report on IRS Forms 1094-C and 1095-C. ALEs that are filing fewer than 250 1095 forms are not required to file these forms electronically but are permitted to file the paper versions of the forms with the IRS no later than February 28.
March 1	Medicare Part D disclosure to CMS	<i>Group health plans that provide prescription drug coverage to individuals who are eligible for Medicare Part D</i>	Group health plan sponsors that provide prescription drug coverage to Medicare Part D-eligible individuals must disclose to the Centers for Medicare & Medicaid Services (CMS) whether prescription drug coverage is creditable or non-creditable. In general, a plan's prescription drug coverage is creditable if its actuarial value equals or exceeds the actuarial value of the Medicare Part D prescription drug coverage. Plan sponsors must make the disclosure annually and at other select times, using a CMS online disclosure form. Plan sponsors must submit the annual disclosure to CMS within 60 days after the beginning of the plan year. For calendar year plans, the deadline is March 1.
March 2	IRS Forms 1095-B and 1095-C to individual health plan members	<i>Employers that are not ALEs and sponsor self-insured health plans</i>	Code Section 6055 requires employers with self-insured health plans to provide information about the coverage to enrolled employees each year. Employers that are not ALEs use IRS Form 1095-B to provide this health coverage information. Employers that are ALEs use IRS Form 1095-C to provide this health coverage information.
March 31	IRS Forms 1094-C and 1095-C deadline for reporting via electronic filing	<i>Employers that are ALEs and who will file 250 or more IRS Forms 1095-C and sponsor self-insured health plans</i>	ALEs that sponsor self-insured health plans to report information about the coverage to the IRS each year and who will file 250 or more IRS Forms 1095-C must file both their IRS Form 1094-C and IRS Forms 1095-C no later than March 31.

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<p>July 31* * Calendar year plans</p>	<p>Form 5500 (standard due date)</p>	<p><i>Employers with group health plans subject to ERISA with January 1 Plan Years that do not qualify for the small plan exemption</i></p>	<p>Employers with welfare benefit plans subject to ERISA are required to file an annual tax return (IRS Form 5500), unless a reporting exemption applies. The Form 5500 must be filed by the last day of the seventh month following the end of the plan year, unless an extension applies. For calendar year plan years, the standard due date is July 31. Deadlines that fall on a Sunday are due the following Monday. An employer may request an extension of 2 ½ months by filing IRS Form 5558 by the standard due date of the Form 5500. If the Form 5558 is filed on or before the normal due date of the Form 5500 or 5500-SF, the extension is automatically granted. Small, unfunded self-funded group health plans (fewer than 100 participants) are generally exempt from the Form 5500 filing requirement.</p>
<p>Various</p>	<p>Non-calendar year plan year Form 5500 (standard due date)</p>	<p><i>Employers with group health plans subject to ERISA with other than January 1 Plan Years that do not qualify for the small plan exemption</i></p>	<p>Employers with welfare benefit plans subject to ERISA are required to file an annual tax return (IRS Form 5500), unless a reporting exemption applies. The Form 5500 must be filed by the last day of the seventh month following the end of the plan year, unless an extension applies. For Deadlines that fall on a Sunday are due the following Monday. An employer may request an extension of 2 ½ months by filing IRS Form 5558 by the standard due date of the Form 5500. If the Form 5558 is filed on or before the normal due date of the Form 5500 or 5500-SF, the extension is automatically granted. Small, unfunded self-funded group health plans (fewer than 100 participants) are generally exempt from the Form 5500 filing requirement.</p>
<p>July 31</p>	<p>PCORI Fee Due</p>	<p><i>Employers with self-insured health plans (all sizes)</i></p>	<p>Employers with self-insured health plans must pay an annual fee to fund the Patient-Centered Outcomes Research Institute (PCORI). Self-insured health plans that are subject to PCORI fees include self-funded medical plans, as well as HRAs offered in conjunction with fully insured group medical plans. HRAs offered with self-insured group medical plans are not subject to separate PCORI fees if the HRA and the medical plan have the same plan sponsor and plan year. Employers use IRS Form 720 to report and pay PCORI fees, which are due by July 31 of the year following the last day of the plan year. Fee amounts are determined each year by the IRS and are different depending on the end date of the employer's plan year. PCORI fees are due through the 2029 plan year.</p>

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September 30* <i>* Calendar year plans</i>	Summary Annual Report (standard due date)	<i>Group health plans that are subject to the IRS Form 5500 filing requirement (and have not extended the Form 5500 deadline)</i>	<p>Employers that are required to file an IRS Form 5500 must provide participants with a summary of the information in the Form 5500, called a Summary Annual Report (SAR). The plan administrator generally must provide the SAR within nine months of the close of the plan year. For calendar year plans, this deadline is September 30. If an extension of time to file the Form 5500 is obtained, the plan administrator must furnish the SAR within two months after the close of the extension period. Plans that are exempt from the annual 5500 filing requirement are not required to provide a SAR.</p>
Various	Summary Annual Report (standard due date)	<i>Group health plans that are subject to the IRS Form 5500 filing requirement (and have not extended the Form 5500 deadline)</i>	<p>Employers that are required to file an IRS Form 5500 must provide participants with a summary of the information in the Form 5500, called a Summary Annual Report (SAR). The plan administrator generally must provide the SAR within nine months of the close of the plan year. If an extension of time to file the Form 5500 is obtained, the plan administrator must furnish the SAR within two months after the close of the extension period. Plans that are exempt from the annual 5500 filing requirement are not required to provide a SAR.</p>
October 14	Medicare Part D Notices	<i>Group health plans that provide prescription drug coverage</i>	<p>Employers with group health plans that provide prescription drug coverage must notify Medicare Part D-eligible individuals no later than October 14 of each year about whether the drug coverage is at least as good as Medicare Part D coverage (in other words, whether their prescription drug coverage is “creditable” or “non-creditable”). If a health plan’s open enrollment period begins on or before October 14, the Medicare Part D notice may be included in the plan’s open enrollment materials. Model disclosure notices are available on the CMS website.</p>

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