

 **HCR ALERT!**

September 17, 2015

## Enrollment Counts for Transitional Reinsurance Fee Due November 16, 2015

Employers with self-insured major medical plans are reminded to report their membership count to the U.S. Department of Health and Human Services (“HHS”) via the Pay.gov website by November 16, 2015, as part of the Affordable Care Act’s (“ACA”) transitional reinsurance fee (the “Fee”).

The Fee is assessed on both insured and self-insured group health plans, and applies on a calendar year basis from 2014-2016. Carriers offering group health insurance and sponsors of self-insured medical plans are required to pay the Fee to support payments to carriers in the individual market that cover high-cost claimants.

The fee is \$63 per covered life in 2014, \$44 in 2015, and \$27 in 2016. Carriers pay the fee on behalf of fully insured plans; employers are responsible for paying the fee for a self-insured plan. Below is a brief summary of key dates and information for employers:

- **October 1, 2015**: 2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form available on Pay.gov (when the Form becomes available, a notice will be sent to REGTAP registrants -- employers may visit <https://www.REGTAP.info> to register)
- **November 16, 2015**: Deadline for employers with self-insured plans to report their annual enrollment of covered lives to HHS via the Pay.gov website
- **January 15, 2016**: Payment deadline for consolidated payment or first payment for employers making a two-part payment (\$44 per covered life if making one consolidated payment; \$33 per covered life if making a two-part payment)
- **November 15, 2016**: Payment deadline for second payment for employers making a two-part payment (\$11 per covered life if making a two-part payment)

### KEY INFORMATION FOR EMPLOYERS

- The Fee applies to major medical coverage.
  - It does not apply to stand-alone dental and vision plans, prescription drug-only plans, HRAs, HSAs, FSAs, employee assistance programs (EAPs) and wellness plans that do not provide major medical coverage, post-65 retiree medical coverage, and plans that do not provide coverage that is “minimum value”.
  - For 2015 and 2016, plans that are both self-insured and self-administered are exempt from the fee (i.e., the plan cannot use a third party administrator (TPA) in connection with claims processing or adjudication, including managing appeals, or for plan enrollment).
- Employers are responsible for paying the fee for their self-insured medical plans. TPAs may, but are not required to, complete the reinsurance contribution process, including payment, on behalf of a self-insured plan.
- Various counting methodologies are available. Examples of permitted counting methods, which CMS has updated for 2015, can be found [here](#).
- When a plan changes from fully insured to self-insured (or vice-versa) during the calendar year, the carrier is responsible for paying the Fee for the portion of the calendar year during which the plan is fully insured, and the employer is responsible for paying the Fee for the portion of the year during which the plan is self-insured. Guidance can be found in the CMS examples document noted above.
- When paying the Fee, employers may need to contact their bank to add Agency Location Code (ALC+2 value) 7505008015 to its list of approved companies for ACH automatic debits.

Employers sponsoring self-insured plans should evaluate each of the available counting methods and determine the most advantageous counting methodology. Results may vary significantly based on the chosen method and once the Fee has been paid, a filing cannot be amended if an employer later discovers that another counting method would have been more beneficial.

Your Trion Strategic Account Managers are here to answer any questions you might have as you prepare to comply with upcoming ACA requirements. If you are not currently a Trion client and would like assistance navigating the changes required by health care reform, please contact us today by emailing [trionsales@trion-mma.com](mailto:trionsales@trion-mma.com).

#### ACA REGULATIONS & GUIDANCE ISSUED IN THE LAST TWO MONTHS

- Sep. 2015: IRS Issues [Proposed Rules on Minimum Value](#)
- Aug. 2015: ACA FAQs Part XXVIII – [Transparency Reporting](#)
- Aug. 2015: IRS Issues Draft Forms [1094-B](#), [1095-B](#), [1094-C](#), [1095-C](#), [Series B Instructions](#) & [Series Instructions](#)
- Jul. 2015: IRS Issues [Notice 2015-52 Excise Tax on High Cost Employer-Sponsored Health Coverage](#)  
Additional Proposed Guidance

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