



THE
MELTZER
GROUP



Compliance Corner

July 26, 2016

Health Care Reform

HHS Releases Section 1557 Training Materials

The HHS Office of Civil Rights (OCR) has released training materials related to the enforcement of Section 1557. As background, HHS released final regulations regarding Section 1557 in May 2016. Please see the June 1, 2016, edition of [Compliance Corner](#).

Effective for plan years starting on or after Jan. 1, 2017, the regulations prohibit a health program or activity from discriminating against individuals based on race, color, national origin, sex, age or disability. For this purpose, a health plan or health insurance is considered a health program or activity and is prohibited from denying or limiting coverage or eligibility, imposing additional cost sharing or imposing a discriminatory benefit design based on one of the identified factors.

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Announcements

Final Reminder: Form 5500 Filing for Calendar Year Plans Due August 1

Plan sponsors must file Form 5500-series returns on the last day of the seventh month after their plan year ends. As a result, calendar-year plans generally must file by July 31. Since that date falls on a Sunday this year, plan sponsors must file the Form 5500 by Aug. 1, 2016, for their 2015 calendar year plans. Plans may request a 2 ½ month extension to file by submitting Form 5558, Application for Extension of Time to File Certain Employee Plan Returns, by that plan's original due date.

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Federal Updates

DOL Issues Proposed Changes to Form 5500 Filings

On July 21, 2016, the DOL proposed changes to Form 5500 Filings. Specifically, they published a Notice of Proposed Forms Revisions to the Form 5500 Annual Return/Report Series and also published a Proposed Rule that implements those form revisions. As background, sponsors of ERISA-covered plans are generally required to file an annual Form 5500 which reports on the financial condition and operations of the plan.

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HHS Issues Update on Phase II of HIPAA Audit Program

Phase II of HHS's Office of Civil Rights (OCR) HIPAA Audit Program is underway. Together with Phase I (launched back in 2011), the audit program is meant to help HHS assess compliance with the HIPAA privacy, security and breach notification rules. In addition, the program's audits serve as a compliance tool that supplements OCR's other enforcement tools, such as complaint investigations and compliance reviews. In Phase II, OCR is reviewing the policies and procedures adopted and employed by covered entities and their business associates to meet certain standards and implementation specifications of the HIPAA rules.

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HHS Publishes Fact Sheet on Ransomware and HIPAA's Security Rules

HHS recently published a fact sheet on ransomware attack prevention and recovery from a health care

Final Reminder: PCOR Fee, Form 720 Filing Due August 1

PPACA imposed the PCOR fee on health plans to support clinical effectiveness research. The PCOR fee applies to plan years ending on or after Oct. 1, 2012, and before Oct. 1, 2019. The PCOR fee is generally due by July 31 of the calendar year following the close of the plan year.

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August Training Opportunities, Register Now

NFP Benefits Compliance is hosting a series of webinars in August. Training dates are Aug. 10, Aug. 17 and Aug. 24, 2016, at 3:00 pm ET, with the respective topics being: "You Might Mean Well, But is Your Wellness Program in Compliance," "Don't Let the Snake Bite You: A Review of COBRA Rules, Including Recent Clarifications," and "On the Fringe: A Look at the Compliance Aspects of Certain Fringe and Ancillary Benefits."

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IRS and DOL Educational Opportunities Available

perspective, including the role that HIPAA has in assisting HIPAA-covered entities (and their business associates) to prevent and recover from ransomware attacks.

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DOL Releases Proposed Rules on Federal Contractor Paid Sick Leave

In September 2015, President Obama issued Executive Order 13706, *Establishing Paid Sick Leave for Federal Contractors*. The DOL subsequently issued regulations that are proposed to apply to certain new contracts effective on or after Jan. 1, 2017. The categories of covered contracts are identical to those covered by Executive Order 13658, *Establishing a Minimum Wage for Contractors*.

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The IRS and DOL are hosting various free educational seminars for employers. These seminars are designed to assist employers with compliance with both state and federal law regarding employee benefit plans.

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State Updates

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FAQ

We received a notification from the Health Insurance Marketplace that one of our employees applied for marketplace coverage and qualified for an advanced payment of a premium tax credit (PTC). What should we do?

[Read the Answer »](#)

Reference

Commonly Used Acronyms

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