



Compliance Corner

November 18, 2014

HEALTH CARE REFORM

U.S. Supreme Court to Hear Case Challenging Premium Tax Credits Provided Through Federally Facilitated Exchanges

On Nov. 7, 2014, the U.S. Supreme Court agreed to address the provision of premium tax credits through federally facilitated exchanges. Challengers claim PPACA's express language authorized premium tax credits only through exchanges established "by the state." Such an interpretation would disallow the provision of premium tax credits in any states that have refused to establish their own exchanges and instead defaulted to a federally-facilitated exchange.

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DOL FAQs Emphasize Prohibition on Premium Reimbursement Arrangements

On Nov. 6, 2014, the DOL published FAQs About Affordable Care Act Implementation (Part XXII). The three new FAQs relate to compliance of premium reimbursement arrangements.

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ANNOUNCEMENTS

Deadline Extended for 2014 Enrollment Counts for Transitional Reinsurance Program

On Nov. 14, 2014, CMS announced it is extending the deadline for contributing entities to submit their 2014 enrollment counts for transitional reinsurance program contributions. The deadline is now Dec. 5, 2014. Contributing entities will also need to submit bank information and schedule their payments by Dec. 5, 2014.

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Final November Training Opportunity, Register Now

One webinar remains in NFP's November client training series. "Compliance

IRS Clarifies Deductibility of Reinsurance Program Contributions for Insurers and Self-insured Plan Sponsors

An IRS website featuring two FAQs clarifies the deductibility of the reinsurance program contributions. The first FAQ clarifies that insurers are able to treat contributions made under the reinsurance program as ordinary and necessary expenses paid or incurred in carrying on a trade or business.

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IRS Clarifies Premium Tax Credit Eligibility for Pregnant Women

On Nov. 7, 2014, the IRS issued Notice 2014-71 in regards to premium tax credit eligibility and pregnant women. As background, an individual is eligible for a premium tax credit if he/she has household income between 100 and 400 percent of the federal poverty level and is enrolled in a qualified health plan through an exchange.

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FEDERAL UPDATES

DOL Releases Interim Final Rule on Additional Reporting Requirements of Multiple-Employer Plans

On Nov. 10, 2014, the DOL released interim final rules concerning the new Form 5500 requirements for multiemployer plans under the Cooperative and Small Employer Charity Pension Flexibility Act (CSEC Act). As background, the CSEC Act was enacted on Apr. 7, 2014, and it established additional annual reporting requirements for multiple-employer plans. The CSEC Act also added section 103(g) to Title I of ERISA.

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DOL Issues Guidance on State

by Design: Premium Contribution Strategies that Work” will be held Nov. 19, 2014 at 3:00 p.m. ET. NFP Benefits Compliance reserves the right to change training topics in the event of significant legislative, judicial or regulatory developments.

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Marketplace Now Open for 2015 Coverage

The marketplace is now open for individuals to enroll for 2015 coverage. Open enrollment continues through Feb. 15, 2015. Individuals wishing to have coverage effective Jan. 1, 2015 must enroll by Dec. 15, 2014. After Feb. 15, 2015, individuals must have a special enrollment period in order to enroll in the marketplace mid-year.

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FAQ

Under the employer mandate’s look-back measurement period rules, how should an employer determine full-time status for an employee who moves from a full-time position to a variable hour position?

[Read the answer »](#)

Regulation of Stop-loss Insurance

On Nov. 6, 2014, the EBSA (a department of the DOL), issued Technical Release No. 2014-01, which provides guidance on state regulation of stop-loss insurance.

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