## Patient Protection and Affordable Care Act/Health Care and Education Reconciliation Act of 2010 Reference Guide for Employers

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Effective Date	Issue	Impact on Large Employer (More than 100 employees	Impact on Small Employer (Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
	- 1		,
Upon U.S. Department of Labor issuing regulations	Automatic Enrollment of Employees (PPACA 1511-18(A))	FLSA amended to provide for automatic enrollment in health plan of all new full time employees and continuation of coverage for current employees. Notice of enrollment and right to opt out must be provided.	Not Applicable
		Only applies to employers with more than 200 FTEs.	
2010	Tax Credit (PPACA 1421-45R, as amended by PPACA 10105)	Not Applicable	Employers with (i) fewer than 26 FTEs [total number of hours of service for which wages were paid divided by 2080 (hours worked by an employee in excess of 2080 are not counted)] with average annual wages not exceeding specified level, and (ii) who contribute at least 50% of the premium for a qualified health plan for employees, are eligible for a tax credit. Beginning 2014, the qualified health plan must be provided through an Exchange.

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Effective Date	Issue	Impact on Large Employer (More than 100 employees	Impact on Small Employer (Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
		umess otherwise noted)	uniess otherwise noted)
3/23/2010	Grants (PPACA 1002-2793)	Grants for states to handle	Grants for states to handle
		complaints regarding coverage,	complaints regarding coverage,
		assist enrollees with appeals	assist enrollees with appeals
		process, and assist enrollees	process, and assist enrollees
		with other questions.	with other questions.
3/23/2010	Review of Premiums (PPACA	DHHS/States to review	DHHS/States to review
	1003-2794, as amended by	premium increases and require	premium increases and require
	PPACA 10101)	health insurance issuers to	health insurance issuers to
		justify "unreasonable"	justify "unreasonable"
		increases before they are	increases before they are
		implemented.	implemented.
		Not applicable to plans in	Not applicable to plans in
		existence as of 3/23/2010	existence as of 3/23/2010
3/23/2010	Grandfathered Plans (PPACA	Nothing requires individual to	Nothing requires individual to
	1251, as amended by PPACA	change plan currently in effect.	change plan currently in effect.
	10103 and HCERA 2301)		
		With respect to plan in which	With respect to plan in which
		an individual is enrolled	an individual is enrolled
		3/23/2010 and which is	3/23/2010 and which is
		renewed after such date, family	renewed after such date, family
		members of the individual shall	members of the individual shall
		be permitted to enroll in such	be permitted to enroll in such
		plan if enrollment is permitted	plan if enrollment is permitted
		under the terms of the plan in	under the terms of the plan in
		effect as of 3/23/2010.	effect as of 3/23/2010.
3/23/2010	Non-Discrimination (PPACA	Plans receiving federal	Plans receiving federal
	1557)	financial assistance must	financial assistance must
		comply with the non-	comply with the non-
		discrimination requirements of	discrimination requirements of

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
		Title VI of the Civil Rights Act	Title VI of the Civil Rights Act
		of 1964 (42 U.S.C. § 2000(d) et	of 1964 (42 U.S.C. § 2000(d) et
		seq.), Title IX of the Education	seq.), Title IX of the Education
		Amendments of 1972 (20	Amendments of 1972 (20
		U.S.C. § 1681 <i>et seq.</i> ), the Age	U.S.C. § 1681 <i>et seq</i> .), the Age
		Discrimination Act of 1975 (45	Discrimination Act of 1975 (45
		U.S.C. § 6101 <i>et seq.</i> ), and/or	U.S.C. § 6101 <i>et seq.</i> ), and/or
		§ 504 of the Rehabilitation Act	§ 504 of the Rehabilitation Act
		of 1973 (29 U.S.C. § 794).	of 1973 (29 U.S.C. § 794).
3/23/2010	Non-Retaliation (PPACA	The FLSA is amended by	The FLSA is amended by
	1558-18(C))	prohibiting discharge or	prohibiting discharge or
		discrimination against any	discrimination against any
		employee because the	employee because the
		employee received a tax credit;	employee received a tax credit;
		provided/is about to provide the	provided/is about to provide the
		employer, federal government,	employer, federal government,
		or attorney general information	or attorney general information
		relating to a violation of Title I	relating to a violation of Title I
		of the PPACA; testified or is	of the PPACA; testified or is
		about to testify in a proceeding;	about to testify in a proceeding;
		assisted or participated or is	assisted or participated or is
		about to assist or participate in	about to assist or participate in
		a proceeding; or objected to or	a proceeding; or objected to or
		refused to participate in a	refused to participate in a
		practice that the employee	practice that the employee
		reasonably believes to be in	reasonably believes to be in
		violation of any provision of	violation of any provision of
		Title I of the PPACA. The	Title I of the PPACA. The
		complaint procedure will	complaint procedure will
		follow 15 U.S.C. § 2087(b).	follow 15 U.S.C. § 2087(b).

Effective Date	Issue	Impact on Large Employer (More than 100 employees unless otherwise noted)	Impact on Small Employer (Fewer than 101 employees unless otherwise noted)
3/23/2010	Breaks for Nursing Mothers (PPACA 4207)	The FLSA is amended to require covered employers to provide reasonable breaks and a location for nursing mothers to nurse for one year from child's birth.	The FLSA is amended to require covered employers to provide reasonable breaks and a location for nursing mothers to nurse for one year from child's birth.
		NOTE: Indiana Code sections 5-10-6-2 (applicable to the State of Indiana and its political subdivisions) and 22-2-14 (applicable to Indiana employers with at least 25 employees) provide additional requirements for covered employers.	Employers with fewer than 50 employees need not comply with FLSA amendments if prove undue hardship.  NOTE: Indiana Code sections 5-10-6-2 (applicable to the State of Indiana and its political subdivisions) and 22-2-14 (applicable to Indiana employers with at least 25 employees) provide additional requirements for covered employers.
Regulations expected by 6/21/2010	High Risk Pool (PPACA 1101)	Establishment of temporary high risk health insurance program for uninsured individuals with pre-existing conditions.  Ends January 1, 2014.  Insurers and employers may	Establishment of temporary high risk health insurance program for uninsured individuals with pre-existing conditions.  Ends January 1, 2014.  Insurers and employers may

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
		,	,
		not encourage individuals to	not encourage individuals to
		drop their current coverage to	drop their current coverage to
		go into the high risk pool.	go into the high risk pool.
Regulations expected by	Reinsurance for Early Retirees	There will be a re-insurance	There will be a re-insurance
6/21/2010	(PPACA 1102, as amended by	program to reimburse	program to reimburse
	PPACA 10102)	employers for some of the costs	employers for some of the costs
		they incur in providing	they incur in providing
		insurance coverage to early	insurance coverage to early
		retirees and their spouses,	retirees and their spouses,
		surviving spouses, and	surviving spouses, and
		dependents.	dependents.
		Ends January 1, 2014.	Ends January 1, 2014.
Plan Years beginning on or	Lifetime Limits (PPACA 1001-	No lifetime limits, except for	No lifetime limits, except for
after 9/23/2010	2711, as amended by PPACA	per-beneficiary limits on	per-beneficiary limits on
	10101 and HCERA 2301)	benefits that are not "essential	benefits that are not "essential
		health benefits."	health benefits."
Plan Years beginning on or	Annual Limits (PPACA 1001-	Only "restricted annual limits,"	Only "restricted annual limits,"
after 9/23/2010 and prior to	2711, as amended by PPACA	[to be defined] except for per-	[to be defined] except for per-
1/1/2014	10101 and HCERA 2301)	beneficiary limits on benefits	beneficiary limits on benefits
		that are not "essential health	that are not "essential health
		benefits."	benefits."
Plan Years beginning on or	Cancelling Coverage (PPACA	May not cancel coverage	May not cancel coverage
after 9/23/2010	1001-2712)	except for fraud or intentional	except for fraud or intentional
		misrepresentation.	misrepresentation.
Plan Years beginning on or	Preventive Care (PPACA 1001-	Plans must cover specified	Plans must cover specified
after 9/23/2010	2713)	types of preventive care and	types of preventive care and
		immunizations with no cost	immunizations with no cost
		sharing. Not applicable to plans	sharing. Not applicable to plans
		in existence as of 3/23/2010.	in existence as of 3/23/2010.

Effective Date	Issue	Impact on Large Employer (More than 100 employees	Impact on Small Employer (Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
Plan Years beginning on or	Dependent Coverage (PPACA	Plans providing dependent	Plans providing dependent
after 9/23/2010	1001-2714, as amended by	coverage of children must	coverage of children must
	HCERA 2301)	make coverage available until	make coverage available until
		the child turns 26 years old.	the child turns 26 years old.
		Group plans in existence as of	Group plans in existence as of
		3/23/2010 enjoy a temporary,	3/23/2010 enjoy a temporary,
		limited exception until plan	limited exception until plan
		years beginning on or after	years beginning on or after
		1/1/2014, but only if the adult	1/1/2014, but only if the adult
		child is not eligible to enroll in	child is not eligible to enroll in
		another eligible employer-	another eligible employer-
DI V	D: : : :	sponsored health plan.	sponsored health plan.
Plan Years beginning on or	Discrimination Based on	Group health plans may not	Group health plans may not
after 9/23/2010	Compensation (PPACA 1001-2716, as amended by PPACA	discriminate in favor of higher wage employees.	discriminate in favor of higher wage employees.
	10101)	wage employees.	wage employees.
	10101)	Not applicable to self-insured	Not applicable to self-insured
		group health plans.	group health plans.
		S T T T T T	
		Not applicable to plans in	Not applicable to plans in
		existence as of 3/23/2010.	existence as of 3/23/2010.
Plan years beginning on or after	Pre-Existing Conditions	No pre-existing condition	No pre-existing condition
9/23/2010	(PPACA 1201-2704, as	exclusions for enrollees under	exclusions for enrollees under
	amended by PPACA 10103 and HCERA 2301)	19 years of age.	19 years of age.
Plan Years beginning on or	Appeals (PPACA 1001-2719,	Group health plans must	Group health plans must
after 9/23/2010	as amended by PPACA 10101)	implement a required appeals	implement a required appeals
		process.	process.

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
Effective Bate	15500	(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
		diffess other wise noted)	uniciss other wise notes,
		The process must give	The process must give
		enrollees access to their files.	enrollees access to their files.
		Not applicable to plans in	Not applicable to plans in
		existence as of 3/23/2010.	existence as of 3/23/2010.
Plan Years beginning on or	Patient Protections (PPACA	If a plan requires or provides	If a plan requires or provides
after 9/23/2010	10101-2719A)	for designation of a	for designation of a
	,	participating primary care	participating primary care
		provider, then the plan shall	provider, then the plan shall
		permit each participant,	permit each participant,
		beneficiary, and enrollee to	beneficiary, and enrollee to
		designate any participating	designate any participating
		primary care provider who is	primary care provider who is
		available to accept such	available to accept such
		individual.	individual.
		If a group health plan covers	If a group health plan covers
		emergency and/or OB-GYN	emergency and/or OB-GYN
		care, it must comply with	care, it must comply with
		several requirements, including	several requirements, including
		that there be no requirement of	that there be no requirement of
		advance authorization for such	advance authorization for such
		care and, for emergency care,	care and, for emergency care,
		that there be restrictions on	that there be restrictions on
		assessing additional costs for	assessing additional costs for
		using an out-of-network	using an out-of-network
		provider.	provider.
		Not applicable to plans in	Not applicable to plans in
		existence as of 3/23/2010.	existence as of 3/23/2010.

Effective Date	Issue	Impact on Large Employer (More than 100 employees	Impact on Small Employer (Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
By 1/1/2011	Premium Rebate (PPACA 1001-2718 and PPACA 9016, as amended by PPACA 10101)	Health insurance issuers must provide reports to DHHS concerning loss ratios and expenditures of premium revenue on specified items. Enrollees are eligible for premium rebates if the ratio of premium revenue spent on specified costs does not satisfy targets (85%, or higher percent determined by state).	Health insurance issuers must provide reports to DHHS concerning loss ratios and expenditures of premium revenue on specified items. Enrollees are eligible for premium rebates if the ratio of premium revenue spent on specified costs does not satisfy targets (80%, or higher percent determined by state).
		Not applicable to self-insured group health plans.	Not applicable to self-insured group health plans.
2011	Community Living Assistance Services and Supports ("CLASS") Act (PPACA 8002- 3204)	Employers may automatically enroll employees in a government-run long term care insurance program. Employee must have the right to opt out. Premiums may be paid via payroll deduction.	Employers may automatically enroll employees in a government-run long term care insurance program. Employee must have the right to opt out. Premiums may be paid via payroll deduction.
2011	Wellness Program Grants (PPACA 10408)	Not Applicable	Employers (i) with fewer than 100 employees, who work at least 25 hours per week and (ii) who do not have a wellness program as of 3/23/2010, are eligible to apply for a grant to establish a wellness program. This is a five year grant program.

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Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
Tax Years beginning on or after	Employer-Provided Health	The value of employer-	The value of employer-
1/1/2011	Insurance on W-2 (PPACA	provided health insurance must	provided health insurance must
	9002)	be included on the W-2.	be included on the W-2.
Tax Years beginning on or after	Over-the-Counter Drugs	Only prescribed drugs and	Only prescribed drugs and
1/1/2011	(PPACA 9003)	insulin will be covered by	insulin will be covered by
		HSAs, MSAs, HRAs and	HSAs, MSAs, HRAs and
		Health Flexible Spending	Health Flexible Spending
		Arrangements.	Arrangements.
Tax Years beginning on or after	HSAs and MSAs (PPACA	Taxes on distributions from	Taxes on distributions from
1/1/2011	9004)	HSAs and MSAs that are not	HSAs and MSAs that are not
		used for qualified medical	used for qualified medical
		expenses will increase to 20%.	expenses will increase to 20%.
Tax Years beginning on or after	Cafeteria Plans (PPACA 9022)	Not Applicable	Simple cafeteria plans for small
1/1/2011	, ,		businesses (employed an
			average of 100 or fewer
			employees on business days
			during either of the 2 preceding
			years) may be established.
			Certain participation and
			minimum contribution
			requirements must be met.
By 3/23/2012	Explanation of Coverage	Must provide applicants,	Must provide applicants,
•	(PPACA 1001-2715, as	enrollees, policyholders and	enrollees, policyholders and
	amended by PPACA 10101)	certificate-holders with	certificate-holders with
		summaries of coverage that	summaries of coverage that
		contain uniform definitions [to	contain uniform definitions [to
		be established by DHHS].	be established by DHHS].
		Notice of material	Notice of material
		modifications must be provided	modifications must be provided
		modifications must be provided	modifications must be provided

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
	13300	(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
		to enrollees at least 60 days	to enrollees at least 60 days
		before they take effect.	before they take effect.
		Penalty for willful violation is up to \$1000 per enrollee.	Penalty for willful violation is up to \$1000 per enrollee.
By 3/23/2012	Quality of Care Reports	DHHS will establish	DHHS will establish
By 3/23/2012	(PPACA 1001-2717, as	requirements for reports by	requirements for reports by
	amended by PPACA 10101)	group health plans to DHHS	group health plans to DHHS
	amended by 1171C/1 10101)	and enrollees that are intended	and enrollees that are intended
		to help improve quality of care.	to help improve quality of care.
		to neip improve quanty or care.	to note improve quanty of care.
		Wellness programs will not be	Wellness programs will not be
		permitted to require disclosure	permitted to require disclosure
		of the presence of lawfully	of the presence of lawfully
		possessed firearms or	possessed firearms or
		ammunition on an individual's	ammunition on an individual's
		property, or the lawful use,	property, or the lawful use,
		possession or storage of	possession or storage of
		firearms or ammunition by an	firearms or ammunition by an
		individual.	individual.
		Not applicable to plans in	Not applicable to plans in
		existence as of 3/23/2010.	existence as of 3/23/2010.
Policy Years ending after	Mandatory Fee (PPACA 6301-	Accident and health insurance	Accident and health insurance
9/30/2012	4375)	policies are subject to annual	policies are subject to annual
3.23.232		fee of \$2 per covered life (\$1	fee of \$2 per covered life (\$1
		for policy years ending in FY	for policy years ending in FY
		2013), subject to adjustment.	2013), subject to adjustment.
		Fee will not apply to policy	Fee will not apply to policy
		years ending after 9/30/2019.	years ending after 9/30/2019.

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
1/1/2013	Tax on High Earners (PPACA	Imposes hospital insurance tax	Imposes hospital insurance tax
	9015, as amended by PPACA	of 0.9% on wages or self-	of 0.9% on wages or self-
	10906 and HCERA 1402-1411)	employment income of	employment income of
		individual above \$250,000	individual above \$250,000
		(joint filers), \$125,000 (married	(joint filers), \$125,000 (married
		filing separately), or \$200,000	filing separately), or \$200,000
		(all others); and 3.8% on the	(all others); and 3.8% on the
		lesser of net investment income	lesser of net investment income
		or the excess of modified AGI	or the excess of modified AGI
		over the threshold amount	over the threshold amount
		(\$250,000 (joint), \$125,000	(\$250,000 (joint), \$125,000
		(married filing separately),	(married filing separately),
		\$200,000 (all others)).	\$200,000 (all others)).
1/1/2013	Health Flexible Spending	If a benefit is provided under a	If a benefit is provided under a
	Arrangement (PPACA 9005,	cafeteria plan through employer	cafeteria plan through employer
	amended by PPACA 10902 and	contributions to a health	contributions to a health
	HCERA 1403)	flexible spending arrangement,	flexible spending arrangement,
	·	such benefit shall not be treated	such benefit shall not be treated
		as a qualified benefit unless the	as a qualified benefit unless the
		cafeteria plan provides that an	cafeteria plan provides that an
		employee may not elect for any	employee may not elect for any
		taxable year to have salary	taxable year to have salary
		reduction contributions in	reduction contributions in
		excess of \$2,500 [subject to	excess of \$2,500 [subject to
		adjustment] made to such	adjustment] made to such
		arrangement.	arrangement.
Taxable Years on or after	Health Insurer Executive	Limits health insurers' ability	Limits health insurers' ability
1/1/2013	Salaries (PPACA 9014)	to take a deduction for	to take a deduction for
		compensation paid to	compensation paid to
		individual employees (includes	individual employees (includes

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Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
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		compensation for services	compensation for services
		provided since 1/1/2010).	provided since 1/1/2010).
3/1/2013	Notice to Employees (PPACA	FLSA amendment—Employers	FLSA amendment—Employers
	1512-18(B), as amended by	must inform employees: (1)	must inform employees: (1)
	PPACA 10108)	about the Exchange (including	about the Exchange (including
		a description of services and	a description of services and
		how the employee may contact	how the employee may contact
		the Exchange to request	the Exchange to request
		assistance); (2) if the employer	assistance); (2) if the employer
		plan's share of the total allowed	plan's share of the total allowed
		costs of benefits provided	costs of benefits provided
		under the plan is less than 60%	under the plan is less than 60%
		of such costs, that the employee	of such costs, that the employee
		may be eligible for a premium	may be eligible for a premium
		tax credit and a cost sharing	tax credit and a cost sharing
		reduction if the employee	reduction if the employee
		purchases a qualified health	purchases a qualified health
		plan through the Exchange; and	plan through the Exchange; and
		(3) if the employee purchases a	(3) if the employee purchases a
		qualified health plan through	qualified health plan through
		the Exchange and the employer	the Exchange and the employer
		does not offer a Free Choice	does not offer a Free Choice
		Voucher, the employee may	Voucher, the employee may
		lose the employer contribution	lose the employer contribution
		(if any) to any health benefits	(if any) to any health benefits
		plan offered by the employer	plan offered by the employer
		and that all or a portion of such	and that all or a portion of such
		contribution may be excludable	contribution may be excludable
		from income for Federal	from income for Federal
		income tax purposes.	income tax purposes.

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
By 1/1/2014	Electronic Transactions	Health plans must provide	Health plans must provide
	(PPACA 1104)	DHHS with a statement	DHHS with a statement
		certifying that their data and	certifying that their data and
		information systems are in	information systems are in
		compliance with the applicable	compliance with the applicable
		standards for electronic funds	standards for electronic funds
		transfers, eligibility for a health	transfers, eligibility for a health
		plan, health claim status, and	plan, health claim status, and
		health care payment and	health care payment and
		remittance advice.	remittance advice.
1/1/2014	Free Choice Vouchers (PPACA	Any employer who offers	Any employer who offers
	10108)	minimum essential coverage to	minimum essential coverage to
		its employees through an	its employees through an
		eligible employer-sponsored	eligible employer-sponsored
		Plan and pays any portion of	Plan and pays any portion of
		the costs of such plan must	the costs of such plan must
		offer its qualified employees a	offer its qualified employees a
		Free Choice Voucher, in the	Free Choice Voucher, in the
		amount the employer would	amount the employer would
		have paid if the employee	have paid if the employee
		participated in the employer's	participated in the employer's
		plan, that the employee may	plan, that the employee may
		use in the Exchange.	use in the Exchange.
1/1/2014	Exchange (PPACA 1301, as	Not available to large group	State shall establish an
	amended by PPACA 10104)	market until 2017	American Health Benefit
			Exchange ("Exchange") that
			facilitates the purchase of
			qualified health plans and
			provides for the establishment
			of a Small Business Health

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
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			Options Program ("SHOP
			Exchange") that is designed to
			assist qualified employers who
			are small employers in
			facilitating the enrollment of
			their employees in qualified
			health plans offered in the
			small group market.
1/1/2014	Cafeteria Plan (PPACA 1515)	Not available to large group	Qualified group health plan
		market until 2017	offered by qualified employer
			through Exchange may be
			subject to cafeteria plan.
Plan Years beginning on or	Mandatory Payment (PPACA	Health insurance issuers and	Health insurance issuers and
after 1/1/2014	1341, as amended by PPACA	TPAs on behalf of group health	TPAs on behalf of group health
	10104)	plans must pay a specified	plans must pay a specified
		amount to the State reinsurance	amount to the State reinsurance
		program for plan years between	program for plan years between
		1/1/2014 and 12/31/2016. The	1/1/2014 and 12/31/2016. The
		money will be used to cover	money will be used to cover
		certain high risk individuals in	certain high risk individuals in
		the individual market.	the individual market.
Plan Years beginning on or	Discriminatory Premium Rates	Not applicable	Limitations on factors that may
after 1/1/2014	(PPACA 1201-2701)		be considered in setting rates.
Plan Years beginning on or	Pre-Existing Condition	No pre-existing condition	No pre-existing condition
after 1/1/2014	Exclusions (PPACA 1201-	exclusions.	exclusions.
	2704, as amended by PPACA		
	10103 and HCERA 2301)		
Plan Years beginning on or	Guaranteed Coverage (PPACA	Insurers must accept all	Insurers must accept all
after 1/1/2014	1201-2702)	employers/individuals who	employers/individuals who
		apply.	apply.

Effective Date	Issue	Impact on Large Employer (More than 100 employees unless otherwise noted)	Impact on Small Employer (Fewer than 101 employees unless otherwise noted)
		Not applicable to plans in	Not applicable to plans in
Plan Years beginning on or after 1/1/2014	Guaranteed Renewal (PPACA 1201-2703)	existence as of 3/23/2010.  Must renew at employer's/individual's option.	existence as of 3/23/2010.  Must renew at employer's/individual's option.
		Not applicable to plans in existence as of 3/23/2010.	Not applicable to plans in existence as of 3/23/2010.
Plan Years beginning on or after 1/1/2014	Annual Limits (PPACA 1001-2711, as amended by PPACA 10101 and HCERA 2301)	No annual limits, except for per-beneficiary limits on benefits that are not "essential health benefits."	No annual limits, except for per-beneficiary limits on benefits that are not "essential health benefits."
Plan Years beginning on or after 1/1/2014	Cost-Sharing (PPACA 1302)	Group health plans must limit cost-sharing to specified levels.	Group health plans must limit cost-sharing to specified levels.
Plan Years beginning on or after 1/1/2014	Wellness Programs (PPACA 1201-2705)	If health status is a factor in a reward, the reward may be up to 30% of the cost of coverage (current HIPAA rule is 20%).	If health status is a factor in a reward, the reward may be up to 30% of the cost of coverage (current HIPAA rule is 20%).
		Not applicable to plans in existence as of 3/23/2010.	Not applicable to plans in existence as of 3/23/2010.
Plan Years beginning on or after 1/1/2014	Essential Benefits (PPACA 1201-2707)	Not Applicable	Individual and small group health market plans must include essential health benefits [to be defined by DHHS].
Plan Years beginning on or after 1/1/2014	Waiting Period (PPACA 1201-2708, as amended by PPACA 10103 and HCERA 2301)	Group health plans may not have waiting period of more than 90 days	Group health plans may not have waiting period of more than 90 days
Plan years beginning on or after 1/1/2014	Clinical Trials (PPACA 10103-2709)	Participation in clinical trial covered.	Participation in clinical trial covered.

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
	15540	(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
	I		
Plan years beginning on or after		Large employers (average of at	Not apply if employer has less
1/1/2014	1513-4980H, as amended by PPACA 10106 and HCERA	least 50 FTEs at any time	than 50 FTEs, otherwise, see
		during the preceding year)	impact on large employers.
	1003)	[FTE means employed at least	
		30 hours per week] pay penalty	
		for not offering health care.	
		Solely for purposes of	
		determining whether an	
		employer is a "large" employer,	
		the employer shall, in addition	
		to the number of FTEs for any	
		month otherwise determined,	
		include for such month a	
		number of FTEs determined by	
		dividing the aggregate number	
		of hours of service of	
		employees who are not FTEs	
		for the month by 120.	
		There is a limited exemption	
		for employers who meet the 50	
		FTE threshold because of	
		seasonal workers.	
		Sousonal Workers.	
		No penalty if employer issues	
		Free Choice Voucher.	
1/1/2014	IRS Reporting (PPACA 1514-	Covered employers must	Not apply if employer has less
	6056, as amended by PPACA	provide additional information	than 50 FTEs.
	10106 and 10108)	to IRS and employees.	

Effective Date	Issue	Impact on Large Employer	Impact on Small Employer
		(More than 100 employees	(Fewer than 101 employees
		unless otherwise noted)	unless otherwise noted)
	•		
1/1/2014	IRS Reporting (PPACA 1502-	Employers providing minimum	Employers providing minimum
	6055)	essential coverage must report	essential coverage must report
		certain information to IRS and	certain information to IRS and
		employees.	employees.
By 4/1/2014	Electronic Transactions	Employers who fail to certify	Employers who fail to certify
	(PPACA 1104)	compliance with DHHS	compliance with DHHS
		standards for electronic	standards for electronic
		transactions are subject to	transactions are subject to
		penalty of \$1/covered life per	penalty of \$1/covered life per
		day (up to max. of \$20-	day (up to max. of \$20-
		\$40/person) until certification	\$40/person) until certification
		is complete.	is complete.
By 1/1/2016	Electronic Transactions	Health plans must provide	Health plans must provide
	(PPACA 1104)	DHHS with a statement	DHHS with a statement
		certifying that their data and	certifying that their data and
		information systems are in	information systems are in
		compliance with the applicable	compliance with the applicable
		standards for health claims or	standards for health claims or
		equivalent encounter	equivalent encounter
		information, enrollment and	information, enrollment and
		dis-enrollment in a health plan,	dis-enrollment in a health plan,
		health plan premium payments,	health plan premium payments,
		health claims attachments,	health claims attachments,
		and referral certification and	and referral certification and
		authorization.	authorization.

•		(More than 100 employees unless otherwise noted)	(Fewer than 101 employees unless otherwise noted)
Employ Coverag as amer	Tax on High Cost er-Sponsored Health ge (PPACA 9001-4980I, ided by PPACA 10901 ERA 1401)	40% excise tax on value of coverage that exceeds \$10,200 [+ \$1650 for retirees, high risk jobs, and repair or installation of electrical or telephone lines] (individual) or \$27,500 [+ \$3450 for retirees, high risk jobs, and repair or installation of electrical or telephone lines] (other), adjusted each year.	40% excise tax on value of coverage that exceeds \$10,200 [+ \$1650 for retirees, high risk jobs, and repair or installation of electrical or telephone lines] (individual) or \$27,500 [+ \$3450 for retirees, high risk jobs, and repair or installation of electrical or telephone lines] (other), adjusted each year.