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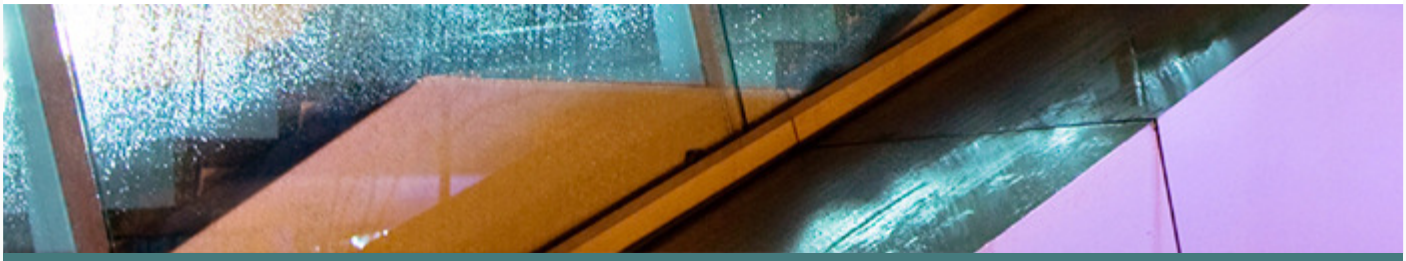

Compliance Corner

August 9, 2016

Health Care Reform

IRS Releases 2016 Draft Form 1094-C and 1095-C Instructions

On Aug. 1, 2016, the IRS released draft instructions for the Forms 1094-C and 1095-C. This follows the release of the draft forms on June 22, 2016, which we included an article on in the July 12, 2016, edition of *Compliance Corner*.

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IRS Issues Proposed Section 6055 Reporting Regulations

On Aug. 2, 2016, the IRS released proposed regulations on information reporting of minimum essential coverage (MEC) by coverage providers under IRC Section 6055. This would be of interest to self-insured employer plan sponsors that are responsible for Section 6055 reporting, including the reporting of HRA coverage.

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Federal Updates

Announcements

It's MLR Rebate Time Again!

A requirement under PPACA is that insurers must submit an annual report to HHS accounting for plan costs. If the insurer does not meet the medical loss ratio standards, they must provide rebates to policyholders.

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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

OCR Issues Further Guidance Related to HIPAA Compliance and 2016 Desk Audits

As we shared with you in the July 26, 2016, edition of *Compliance Corner*, 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.

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IRS Clarifies Form 5500 Instructions Pertaining to Minimum Required Distributions for Missing Participants

On July 29, 2016, the IRS released a clarification about the reporting on Form 5500 (and Form 5500-SF) of required minimum distributions (RMDs) not made due to the recipients not being able to be found. As background, RMDs are minimum amounts that a retirement plan account owner must withdraw annually starting with the year that he or she reaches 70 ½ years of age or, if later, the year in which he or she retires. However, if the account owner is a 5 percent owner of the business sponsoring the retirement plan, the RMDs must begin once the account holder is age 70 ½, regardless of whether he or she is retired.

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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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Benefits Compliance Portal 2.0 Coming Soon; Upcoming Training

The Benefits Compliance Portal is an online, customizable compliance checklist that allows advisors (and their clients) to develop and track compliance items. It contains major federal compliance requirements that may apply to an employer-sponsored group health plan, including a short description of the requirement, applicable due dates and penalties, and allows space for the advisor/client to add comments and mark the requirements as completed.

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FAQ

If an employee is aged 65 or over and eligible for Medicare but not enrolled in Medicare, can he still contribute to an HSA?

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Reference

Commonly Used Acronyms
Glossary »

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