Brown & Brown

EMPLOYEE BENEFITS

2023 Compliance Checklist (April - March Plan Years)

Important Compliance Dates

January
- W2 Box 12 Reporting of Aggregate Cost of Coverage (1/31)[2]

February
- 1094-C & 1095-C (Paper) Reporting Due to IRS (2/28)[2]
- SBC Distribution: With open enrollment materials or 30 days prior to renewal if coverage renews automatically[1,6]

March
- 1095-C Reporting Due to Employees (3/2)[2]
- 2022 Reporting to IRS if filing electronically (3/31)[2] (Electronic filing required for ALE with 250 or more 1095s)

April
- Deadline for 2022 HSA Contributions (4/17)[2]

May
- CMS Online Disclosure of Creditable – Medicare Part D Coverage (Due 60 Days Post Annual Renewal) (5/30)[1]

June
- Prescription Drug Data Collection (RxDC) Reporting Due (6/1)[2]
- SPD Delivery Deadline *for new enrollees* (6/29)[1,5] (Within 90 days of effective date)

July
- PCORI Filing Due (7/31)[4]

August

September

October
- Medicare Part D Notice Due (10/14)[1]
- 500 Filing Due (10/31)[3]

November

December
- SAR, Summary Annual Report Due (12/31)[3]

[1] Applies to Plan Year beginning 4/1/2023 and ending 3/31/2024
[2] Applies to 2022 calendar year
[3] Applies to Plan Year beginning 4/1/2022 and ending 3/31/2023
[4] Applies to Plan Year beginning 4/1/2021 and ending 3/31/2022
[5] SPDs must be distributed within 120 days after effective date of a new plan. Amended SPDs or SMMs describing material reductions in health plan benefits must be distributed within 60 days after they are adopted. Amended SPDs or SMMs describing other material modifications must be distributed within 210 days after end of plan year in which they are adopted.
[6] If material modification is made to plan mid-year that impacts content of SBC, notice of material modification must be provided at least 60 days prior to date on which modification will be effective.

Employer Requirements

ACA

The ACA created several notice and disclosure obligations for group health plans, such as:

- ☐ Statement of Grandfathered Status
- ☐ Notice of Rescission
- ☐ Notice of Patient Protections and Selection of Providers
- ☐ Uniform Summary of Benefits and Coverage
- ☐ Exchange Notice

COBRA

Notice/disclosure requirements:

- ☐ Initial/General COBRA Notice
- ☐ QE Notice to Plan Administrator
- ☐ COBRA Election Notice
- ☐ Notice of Unavailability of COBRA
- ☐ Notice of Insufficient Payment
- ☐ Premium Change Notice
- ☐ Termination Notice

ERISA

Notice/disclosure requirements:

- ☐ SPD
- ☐ Summary of Material Modifications (SMM)
- ☐ Plan Documents (upon request)
- ☐ Summary Annual Report (SAR)
- ☐ Notice of Special Enrollment Rights
- ☐ HIPAA Notice of Privacy Practices
- ☐ CHIPRA
- ☐ Medicare Part D (Creditable/Non-creditable coverage)
- ☐ WHCRA

ACA Cost Sharing Limits (Plan Years Beginning In 2023)

Self-Only Coverage	$9,100
Family Coverage	$18,200

HDHP OOP Maximum (Plan Years Beginning In 2023)

Self-Only Coverage	$7,500
Family Coverage	$15,000

How Brown & Brown Can Help

Connect with your Brown & Brown service team to learn more about how we can help find solutions to fit your unique needs.

Brown & Brown

Find Your Solution at BBrown.com

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