

WMI Mutual Insurance Company

Important Notice

To: All Employers
From: Tina Thomas, Compliance Manager
Date: August 15, 2013
RE: Notice of Health Insurance Marketplace

The Affordable Care Act (ACA) includes a provision for health coverage to be offered through a Health Insurance Marketplace (Marketplace). Beginning January 1, 2014, individuals and employees of small employers will have access to coverage through the Marketplace. Open enrollment for coverage through the Marketplace begins October 1, 2013.

Employers who are subject to the Fair Labor Standards Act are required to provide a written notice to new hires and to current employees: (1) informing them about the health coverage options that are available through the Marketplace; (2) informing them they may be eligible for a premium tax credit if the employer plan's share of the total allowed costs of benefits provided under the plan is less than 60%; and (3) informing them that if they purchase a qualified health plan through the Marketplace, they may lose the employer contribution to any health benefit plan offered by the employer. **For current employees, the notice must be provided by October 1, 2013; for new employees hired after October 1, 2013, the notice must be provided within 14 days of their start date.** This notice must be provided to all employees, regardless of their enrollment status or part-time or full-time status.

The Department of Labor (DOL) created a model notice for employers with health plans. Guidance on the model notice can be found in the DOL's Technical Release 2013-02 at <http://www.dol.gov/ebsa/newsroom/tr13-02.html>. The model notice can be found at <http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf>. Page one of the notice contains general information, page two (Part B) must be filled out by the employer prior to distribution, and page three contains information that is included in the Marketplace application (this section is optional). For reference in filling out page two, your employer-sponsored plan **does meet** the minimum value standard.

If you have any questions, please contact me at (801) 263-8000 ext 115, (800) 748-5340 ext 115, or tinat@wmimutual.com. You may also visit www.ccio.cms.gov for additional information on the ACA.