

## Is Your Company Ready To Disclose its Employer-Sponsored Health Offerings?

At this point, most companies, especially those entities which are determined to be applicable large employers, are aware of the compliance procedures and requirements of the Affordable Care Act (ACA); specifically, the requirement to file Forms 1095-B or 1095-C (regarding healthcare coverage offered to employees). However, are you aware that some states require reporting of company-sponsored health offerings as well, even for small employers?

The latest state to join this trend is Massachusetts. Beginning on November 30, 2018, Massachusetts' employers with six or more employees will be required to file what is known as a Health Insurance Responsibility Disclosure (HIRD) Form. According to the Massachusetts Department of Revenue, "[t]he HIRD Form collects employer-level information about your employer-sponsored insurance offerings... The HIRD Form will assist MassHealth in identifying its members with access to qualifying employer-sponsored insurance who may be eligible for the MassHealth Premium Assistance."

The public policy underlying this requirement is obvious – to ensure that all individuals are afforded the opportunity to obtain affordable healthcare. However, as can be expected, with the legislature's good intentions comes administrative expenses for companies, as well as reporting obligations. Thankfully for these companies, unlike the ACA, the HIRD Form will not be used to impose fines or penalties related to a company's insurance offerings, at this time.

Should you wish to discuss the Massachusetts' requirements further or your state's (if any), please feel free to contact us.

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