THE YEAR AHEAD

Perhaps the only constant in 2017 will be the prospect of substantial changes, especially in the world of employee benefits compliance. Some of those changes will impact employers in 2017, while others will likely have longer-term implications. Employers committed to becoming destination workplaces must keep pace with evolving legislative and regulatory initiatives that may pose risks to meeting cost targets, developing strategic benefits and compensation programs, and attracting and retaining top talent. As a trusted advisor, Arthur J. Gallagher & Co. will help you navigate the ever-changing landscape of employee benefits compliance issues.

1. Stay tuned for a new itinerary. With the inauguration of a new administration, changes in laws impacting employee benefits are also likely ahead, and employers may need to change course. However, it is unclear when and what changes are around the corner, so employers must continue to comply with existing rules and regulations that are part of laws such as the Patient Protection and Affordable Care Act ("PPACA"), the Americans with Disabilities Act ("ADA"), and the Genetic Information Nondiscrimination Act ("GINA"). Is your organization maintaining its current course while keeping an eye on changes ahead for employee benefits compliance?

2. Move forward with PPACA reporting. Although PPACA was a source of frequent discussion during the 2016 presidential election, it remains the law of the land. As such, employers must continue to comply with its requirements, including but not limited to IRS reporting pursuant to Sections 6055 and 6056. Although the deadline to provide statements to employees has been delayed until March 2, 2017, the other deadlines are still intact. Has your organization continued down the road with respect to IRS reporting under PPACA?

3. Follow directions for SBCs. In the spring of 2016, The Departments of Health and Human Services ("HHS") and Labor ("DOL") issued a new Summary of Benefits and Coverage ("SBC") template and related documents. These new pieces must be used by plans that maintain an annual open enrollment period beginning on the first day of the first open enrollment period that begins on or after April 1, 2017. For plans that do not use an annual open enrollment period, the new template and documents must be used on the first day of the first plan year that begins on or after April 1, 2017. Will your organization follow the correct directions for your SBCs?

Compliance is a journey, not a destination. As a trusted advisor, Arthur J. Gallagher & Co. has developed this Compliance Guide series to help you map a path through employee benefits compliance issues as part of an overall compliance plan. Employers should carefully evaluate their health and welfare plans to determine if they are in compliance with both federal and state law. If you have any questions about one or more of the compliance destinations listed above, or would like additional information on how Gallagher constantly monitors laws and regulations impacting employee benefits in order to support employers in their compliance efforts, please contact your Gallagher Benefit Services representative.

The intent of this analysis is to provide you with general information. It does not necessarily fully address all your organization’s specific issues. It should not be construed as, nor is it intended to provide, legal advice. Questions regarding specific issues should be addressed by your organization’s general counsel or an attorney who specializes in this practice area.