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Technical Advisory

TA 310

August 20, 2013

SUBJECT: Mandatory Employer Notice for PPACA Compliance

BACKGROUND: One of the objectives of the Patient Protection and Affordable Care Act (PPACA) is to offer individuals alternative health insurance options under a state or federal Exchange. Therefore, one provision of PPACA requires employers to provide written notice to employees of new health insurance marketplace coverage options and health insurance.

MAIN POINTS: The United States Department of Labor (USDOL) published a [Technical Release 2013-02](#) about the notice requirement under the Patient Protections and Affordable Care Act (PPACA). This *Model Notice to Employees of Coverage Options*, required by PPACA, must be provided to all current employees (full- and part-time), regardless of enrollment status in a group health plan no later than October 1, 2013.

Employers are also required to provide the notice to each new employee at the time of hiring beginning October 1, 2013. The notice must include information about the availability of the Marketplace (aka the Exchange), information on the available tax credits, and that the employee may lose any employer contribution to health benefits if the employee purchases through the Marketplace. The notice must be distributed to employees via email, or mail if email address is not available.

Fortunately, the USDOL has provided model notices which you can use to provide notice to your employees. You will need to complete **Part B** of the respective form and provide to all current employees.

Please note that there are two model notices depending upon whether the employer offers a health plan to employees or not.

Following are links you will find helpful in dealing with this PPACA mandate:

USDOL PPACA Website
<http://www.dol.gov/ebsa/healthreform/index.html>

Technical Release 2013-02
<http://www.dol.gov/ebsa/newsroom/tr13-02.html>

Model Notice for Employers Who Provide Health Plans
<http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf>

Model Notice for Employers Who Do Not Provide Health Plans
<http://www.dol.gov/ebsa/pdf/FLSAwithoutplans.pdf>

**NECESSARY
ACTION:**

Please review the information provided in this Advisory.

Make necessary arrangements to provide the appropriate notice to agency employees as required by PPACA. Evaluate whether or not you want to share this information with customers and provide information as appropriate.

Please note that this Technical Advisory is intended to be educational and is not legal advice upon which you should rely. Please seek any legal opinion you may need from a qualified attorney.