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Health Care Reform September 22, 2011 Deadline for Annual Limit

This Employee Benefits Update provides information on the revised procedures for annual limit waivers for employer plans under Health Care Reform.

The annual limit waiver provides a temporary reprieve from compliance with the Health Care Reform benefit limit rules. CCIIO 2011 – 1D provides information on the waiver process, including new forms and requirements. For a copy of the new guidelines, go to: http://cciio.cms.gov/resources/files/06162011_annual_limit_guidance_2011-2012_final.pdf. The deadline for filing is **September 22, 2011**.

What should employers do?

1. Evaluate all health-related benefits, including Health Reimbursement Arrangements and wellness benefits to determine whether they are subject to the Health Care Reform annual limit provisions and to see if a waiver filing is in order. If so, prepare and file the waiver application by September 22, 2011. Note that if you have already filed for your plan, an extension must be filed by the September 22, 2011 deadline.
2. If a filing is necessary, take additional steps that include new Annual Notice to participants, record retention requirements for possible audit, and new Annual Limit Updates due by December 31, 2012 and December 31, 2013.

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