



ESG Compliance Services Summary

Annual Document Review (start of plan year focus)

1. Section 125 Premium Only Plan (POP) Plan & Agreement
2. Section 125 Flexible Spending Account (FSA) Plan & Agreement
3. Section 223 Health Savings Account (HSA) Plan & Agreement
4. Section 105 Health Reimbursement Arrangement (HRA) Plan & Agreement
 - o PCORI Tax Filing (Form 720)

Key Compliance Considerations (within 90 days after plan year start)

5. COBRA (>19 EE's) / State Continuation (<20 EE's) Administration Strategy
6. Business Associates Agreement - HIPAA Privacy Agreement Third Party Vendors
7. Family Medical Leave Act (FMLA) - Statutory Responsibility for FMLA Qualified Leave
 - o Groups with 50+ EE's within 75 miles & Per Occurrence
8. ACA Compliance Plan
 - o ERISA Wrap Document
 - o Benefit Notice Distribution Plan (included with WRAP Plan)
 - Summary of Benefits and Coverage
 - Summary Plan Description
 - Insurance Exchange Notice
 - Notice of COBRA Rights
 - Notice of Grandfather Status
 - Notice of Privacy Practices
 - Women's Health & Cancer Rights Notice
 - Medicare Part D Credible Coverage Notice
 - ACA Minimum Essential Coverage & Affordability Testing

Annual Tax & Compliance Responsibilities

9. ACA IRS Reporting of Coverage - Form 1094/1095 Compliance (>49 FTE EE's) - every January-February
10. ACA Marketplace Exchange Appeal Notice (Pre IRS Penalty Appeal) - any time before penalty letter received
11. ACA Penalty Letter (Notice 226J) - Time Sensitive Response to IRS to avoid significant penalty - within 30 days
12. Welfare & Benefits Plan - Form 5500 (>99 Eligible Participants) - within 7 months after plan year end



Employee Solutions Group

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