



Ameriflex Proposal

Compliance Cheat Sheet

What does compliance look like for your organization?

The following products may be necessary, along with connecting with the sales team to ensure compliance.

Groups with 1-19 employees	• ERISA: Summary Plan Description • Annual ERISA & ACA Notices* • Annual Medicare Part D Notices* • HIPAA Notice of Privacy Practice* (self-funded plans and fully-insured plans that are hands-on) • ACA Employer Reporting 1094 B/ 1095 B
Groups with 20-49 employees	• ERISA: Summary Plan Description • Annual ERISA & ACA Notices* • Annual Medicare Part D Notices* • HIPAA Notice of Privacy Practice* (self-funded plans and fully-insured plans that are hands-on) • ACA Employer Reporting 1094 B/ 1095 B • COBRA
Groups with 50-99 employees	• ERISA: Summary Plan Description • Annual ERISA & ACA Notices* • Annual Medicare Part D Notice* • HIPAA Notice of Privacy Practice* (self-funded plans and fully-insured plans that are hands-on) • ACA Employer Reporting 1094 C / 1095 C • COBRA • FMLA
Groups with 100+ employees	• ERISA: Summary Plan Description • Annual ERISA & ACA Notices* • Annual Medicare Part D Notice* • HIPAA Notice of Privacy Practice* (self-funded plans and fully-insured plans that are hands-on) • ACA Employer Reporting 1094 C / 1095 C • COBRA • FMLA • Form 5500

* Included in Our Federal Notices Module: With our Federal Notices Module, clients receive all necessary notices at a single price, avoiding separate charges for each notice.

	Risk Exposure	Potential Penalties
SPD Wrap Plan Document	▶ Loss of tax benefits ▶ Potential for lawsuits ▶ DOL audit ▶ Unintended benefit payments ▶ Criminal charges if intentional violation	▶ Courts may hold the employer personally liable \$110/day ▶ DOL may impose \$149/day
Form 5500	DOL inquiry or notice with potential to lead to an audit	Up to \$2,670/day for late, incomplete, or not prepared forms
ACA Reporting	Failure to offer affordable coverage to eligible employees	▶ Failure to file Form 1095/1094 is \$280 per form, \$3,426,000 annual cap. ▶ Total penalty imposed for all failures during a calendar year cannot exceed \$3,392,000.

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