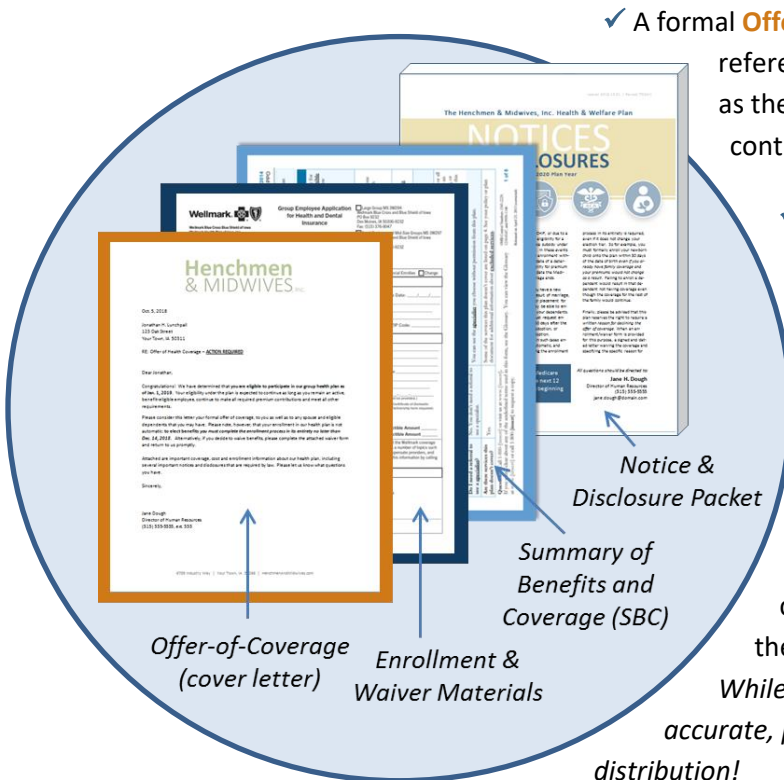


# Distributing Your Notice & Disclosure Packet to New Hires

Revised on Oct. 21, 2020

To remain compliant, the following items should be furnished automatically **to all plan eligibles at the time coverage is offered for the first time** (for example to new hires and the otherwise newly eligible):



- ✓ A formal **Offer of Coverage** which includes explicit reference to spouse and dependent eligibility as well as the employee's option to waive coverage (if contributory).
- ✓ All necessary **enrollment materials and instructions** explaining how to enroll, the employee cost, the deadline for enrolling, and the fact that elections are irrevocable except due to qualifying events.
- ✓ A **Summary of Benefits and Coverage (SBC)** for each plan being offered.
- ✓ Your **Notice & Disclosure Packet** for the current plan year, which we created based on the information you provided to us. **WARNING:** While we have taken great pains to make sure it is accurate, please be sure to proofread it carefully before distribution!

Please note that your enrollment materials need to include any **wellness program (or GINA) notices** required due your program's specific design and the degree it is described. For example, **Alternative Standard Disclosure language** is required anywhere a *health-contingent wellness incentive* is described (although it is not needed if a wellness program is only referenced, as when listing wellness rates).

Finally, AFTER Open Enrollment, first-time enrollees must be provided with a **complete Summary Plan Description (SPD)\*** and a **HIPAA Notice of Privacy Practices** (when applicable). Spouses enrolled for the first time must also be mailed a **General Notice of COBRA Continuation Coverage Rights** to his or her home, as delivery to the employee at work does not count as delivery to the spouse.

\*A complete SPD must include all necessary attachments and exhibits, including any applicable **Summaries of Material Modifications (SMMs)** and any **Certificate of Coverage/Coverage Manual** "benefit booklets" it incorporates through reference. Plans not subject to ERISA are not required to distribute SPDs/SMMs, however many non-ERISA plans maintain SPD- and SMM-like documents for the legal protections they can provide.

*This document is intended to be used for informational purposes only and does not constitute legal or tax opinions or advice.*