

Affordable Care Act: Employer Guidance

Employer Must:	ACA Section	Start Date	CalPERS Guidance	Other Guidance
<p>Shared Responsibility for Employer Regarding Health Coverage (PDF)</p> <ul style="list-style-type: none"> Applicable Large Employers (ALE) must offer coverage to at least 95% of their full-time employees. 	4980H	2016	<p>See circular letters:</p> <ul style="list-style-type: none"> 600-019-14 600-061-14 	<ul style="list-style-type: none"> Employer Shared Responsibility Provisions ACA Information Center for ALEs Q&As on Employer Shared Responsibility Provisions Determining if an Employer is an ALE Identifying Full-Time Employees
<p>Information Reporting by ALEs on Health Insurance Coverage Offered Under Employer-Sponsored Plans (PDF)</p> <ul style="list-style-type: none"> Report Forms 1094-C and 1095-C to IRS of the coverage offered (or not offered) to full-time employees by February 28th (March 31st if filing electronically). 	6056	2016	<p>See circular letters:</p> <ul style="list-style-type: none"> 600-064-15 600-019-14 600-020-14 	<ul style="list-style-type: none"> Information Reporting by ALEs Q&A about Information Reported on Forms 1094-C & 1095-C Q&A on Information Reporting by Health Care Providers Forms 1095-C, Employer-Provided Health Insurance Offer and Coverage Form 1094-C, Transmittal of Employer-Provided Health Insurance Offer and Coverage Information Returns IRS Notice 2020-76 Transition Relief Related to Health Coverage Reporting Required by Sections 6055 and 6056 for 2020 (PDF)
<p>Summary of Benefits and Coverage & Uniform Glossary</p> <ul style="list-style-type: none"> Provide SBC Notice (PDF) to newly eligible employees. 	2715	2012	<p>See circular letter:</p> <ul style="list-style-type: none"> 600-046-20 	<ul style="list-style-type: none"> Access SBCs and Uniform Glossary on CalPERS website
<p>Health Insurance Marketplace Employee Notice</p> <ul style="list-style-type: none"> Provide the Health Care Marketplace (Covered California) Employee Notice to their employees. 	1512	2013	<p>See circular letters:</p> <ul style="list-style-type: none"> 600-052-13 600-051-13 	<ul style="list-style-type: none"> Model Notice for employers who offer a health plan to some or all employees (PDF) Model Notice for employers who did not offer a health plan (PDF)
<p>Excise Tax on High Cost Employer-Sponsored Health Coverage (PDF)</p> <ul style="list-style-type: none"> Excise Tax, a 40 percent tax on employer-sponsored plans that exceed specified annual price thresholds was set to take effect for plan year 2022. On December 20, 2019, the Excise Tax on High Cost Employer-Sponsored Coverage was repealed by the Further Consolidation Appropriation Act of 2020. 	4980I	Repealed		<ul style="list-style-type: none"> Notice 2015-16 Excise Tax on High Cost Employer-Sponsored Health Coverage (PDF) The Further Consolidation Appropriation Act of 2020 (PDF)

References:

Access ACA sections (House Resolution 3590) at <https://www.govinfo.gov/content/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf> and (House Resolution 4872) at <https://www.hhs.gov/sites/default/files/reconciliation-law.pdf>.

Access Circular Letters at <https://www.calpers.ca.gov/page/employers/policies-and-procedures/circular-letters>.

Access Shared Responsibility for Employers at <https://www.govinfo.gov/content/pkg/FR-2014-02-12/pdf/2014-03082.pdf> and <https://www.irs.gov/affordable-care-act/employers/employer-shared-responsibility-provisions>.

Access Information Reporting by Applicable Large Employers at <https://www.govinfo.gov/content/pkg/FR-2014-03-10/pdf/2014-05050.pdf> and https://www.irs.gov/affordable-care-act/employers/information-reporting-by-applicable-large-employers?sm_aui=VVM6VMcr12Frs6P.

Access information on Summary of Benefits and Coverage & Uniform Glossary at https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/affordable-care-act/for-employers-and-advisers/summary-of-benefits?sm_aui=VVM6VMcr12Frs6P and <https://www.calpers.ca.gov/docs/circular-letters/2020/600-046-20.pdf>.

Access information on Health Insurance Marketplace Employee Notice at <https://www.dol.gov/agencies/ebsa/about-ebsa/our-activities/resource-center/faqs/notice-of-coverage-options>.

Access information on Excise Tax at https://www.irs.gov/pub/irs-drop/n-15-52.pdf?sm_aui=VVM6VMcr12Frs6P and <https://www.irs.gov/pub/irs-drop/n-15-16.pdf>. Information on the repeal of the Excise Tax is found at <https://www.congress.gov/116/bills/hr1865/BILLS-116hr1865eah.pdf>.