

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). The deadline to furnish 1095-C to employees has been extended from January 31, 2020 to March 2, 2020 for tax year 2019. 	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 2019-63 Transition Relief Related to Health Coverage Reporting Required by I.R.C. Sections 6055 and 6056 for 2019 (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"> 600-035-19 	<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, President Trump signed Congressional Bill H.R. 1895 repealing the Excise Tax on High Cost Employer-Sponsored Coverage 	4980I	Repealed	<p>Information will be provided as it becomes available</p>	<ul style="list-style-type: none"> Notice 2015-16 Excise Tax on High Cost Employer-Sponsored Health Coverage (PDF) Congressional Bill H.R. 1865 (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=ivVM6VMcr12Frs6P.

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=ivVM6VMcr12Frs6P and <https://www.calpers.ca.gov/docs/circular-letters/2019/600-035-19.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=ivVM6VMcr12Frs6P 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>.