

Affordable Care Act: Employer Requirements

Employer Must:	ACA Section ¹	Start Date	CalPERS Guidance ²	Other Guidance
Shared Responsibility for Employers Regarding Health Coverage: ³ <ul style="list-style-type: none"> Applicable Large Employers (ALE) must offer coverage to 95 % of full time employees 	4980H	2016	See circular letters: <ul style="list-style-type: none"> 600-019-14 600-061-14 	<ul style="list-style-type: none"> Employer Shared Responsibility Provision⁴ ACA Information Center for ALEs FAQs on Employer Shared Responsibility provisions Determined if an Employer is an ALE Identifying Full-time Employees
Information Reporting by Applicable Large Employers on Health Insurance Coverage Offered Under Employer-Sponsored Plans: ⁵ <ul style="list-style-type: none"> Report by February 28 (March 31 if filing electronically), of each year, to the IRS about the coverage offered (or not offered) to their full-time employees using Forms 1094-C (transmittal form) and 1095-C Provide by January 31 of each year, a statement to their full-time employees about the information reported to the IRS 	6056	2016	See circular letters: <ul style="list-style-type: none"> 600-064-15 600-019-14 600-020-14 	<ul style="list-style-type: none"> Information Reporting by ALEs⁶ FAQs about Information Reported on Forms 1094-C & 1095-C FAQs on Reporting of Offers and Health Insurance Coverage by Employers Instructions for Forms 1094-C & 1095-C
Summary of Benefits and Coverage & Uniform Glossary: ⁷ <ul style="list-style-type: none"> Provide SBC Notice to newly eligible employees 	2715	2012	See circular letter: <ul style="list-style-type: none"> 600-051-15 	<ul style="list-style-type: none"> Access SBCs and Uniform Glossary at CalPERS website⁸
Health Insurance Marketplace Employee Notice: ⁹ <ul style="list-style-type: none"> Provide the Health Care Marketplace (Covered California) Employee Notice to their employees 	1512	2013	See circular letters: <ul style="list-style-type: none"> 600-052-13 600-051-13 	<ul style="list-style-type: none"> New Health Insurance Marketplace Coverage Options and Your Health Coverage¹⁰ model notice
Excise tax on high cost employer-sponsored health coverage: ¹¹ <ul style="list-style-type: none"> Calculate the excess benefit of applicable coverage above the threshold and report to health plan 	4980I	2020	Information will be provided as it becomes available	<ul style="list-style-type: none"> Notice 2015-16 Excise Tax on High Cost Employer-Sponsored Health Coverage¹² Notice 2015-52 Excise Tax on High Cost Employer-Sponsored Coverage

¹Access ACA sections (House Resolution 3590) at <https://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf> & (House Resolution 4872) <http://www.hhs.gov/sites/default/files/reconciliation-law.pdf>

²Access Circular Letters (CL) at <https://www.calpers.ca.gov/page/employers/policies-and-procedures/circular-letters>

³<https://www.gpo.gov/fdsys/pkg/FR-2014-02-12/pdf/2014-03082.pdf>

⁴Access information about ALEs at <https://www.irs.gov/Affordable-Care-Act/Employers/Employer-Shared-Responsibility-Provisions>

⁵<https://www.gpo.gov/fdsys/pkg/FR-2014-03-10/pdf/2014-05050.pdf>

⁶Access reposting information at <https://www.irs.gov/Affordable-Care-Act/Employers/Information-Reporting-by-Applicable-Large-Employers>

⁷<http://webapps.dol.gov/FederalRegister/PdfDisplay.aspx?DocId=28304>

To view SBC Notice visit: <https://www.calpers.ca.gov/docs/circular-letters/2015/600-051-15-attach1.pdf>

⁸<https://www.calpers.ca.gov/page/active-members/health-benefits/plans-and-rates>

⁹<http://www.dol.gov/ebsa/newsroom/tr13-02.html>

¹⁰<http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf>

¹¹Recent Legislation postponed the excise tax from 2018 to 2020

¹²Access these notices at <https://www.irs.gov/pub/irs-drop/n-15-52.pdf> & <https://www.irs.gov/pub/irs-drop/n-15-16.pdf>