

Health Reform

Application to Specific Plan Types and Markets

Reform Provisions	Effective Date	NEW PLANS				GRANDFATHERED PLANS	
		Individual Market	Small Group Market	Large Group Market Fully Insured	Self-funded Plans	Individual Market	Group Plans
Nursing mothers provision	Immediately		✓ Exception for less than 50 EEs based on undue hardship	✓	✓		✓ Exception for less than 50 EEs based on undue hardship
Retiree reinsurance program	90 days		✓	✓	✓		✓
Discrimination rules for highly paid individuals	9/23/2010		✓	✓	Current Law		
No lifetime dollar limits	9/23/2010	✓	✓	✓	✓	✓	✓
Restricted annual dollar limits	9/23/2010 (Completely prohibited in 2014)	✓	✓	✓	✓		✓
No rescission with limited exceptions	9/23/2010	✓	✓	✓	✓	✓	✓
Coverage of dependent to age 26	9/23/2010	✓	✓	✓	✓	✓	✓ Until 2014, no access to other employer coverage
Pre-existing condition coverage for children under age 19	9/23/2010 (Applies to all persons in 2014)	✓	✓	✓	✓	✓	✓
New coverage appeal process	9/23/2010	✓	✓	✓	✓		
Preventive care coverage	9/23/2010	✓	✓	✓	✓		
Small employer premium tax credit	2010		✓ Less than 25 employees and avg. salary of less than \$50k		✓ Less than 25 employees and avg. salary of less than \$50k		✓ Less than 25 employees and avg. salary of less than \$50k
Wellness grant	2010		✓		✓ Small employers		
Emergency services at in-network rate regardless of provider	2010	✓	✓	✓	✓		
Designate any M.D. as PCP	2010	✓	✓	✓	✓		
OB/GYN Non-referral	2010	✓	✓	✓	✓		

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Simple cafeteria plans	2011		✓ Small employers with less than 100 lives		✓ Small employers with less than 100 lives		✓ Small employers with less than 100 lives
Minimum loss ratio requirements	2011	✓	✓	✓		✓	✓
CLASS Act enrollment	2011	✓	✓	✓	✓	✓	✓
OTC exclusion for FSAs, HSAs, HRAs	2011		✓	✓	✓		✓
HSA distribution tax increase	2011		✓	✓	✓		✓
W-2 reporting by employers	2012		✓	✓	✓		✓
Employer report on quality information	2012	✓	✓	✓	✓	✓	✓
Summary of benefits	2012	✓	✓	✓	✓	✓	✓
Material modification notice	2012	Unclear	✓	✓	✓	Unclear	✓
Tax on GHPs – \$2/enrollee	2012		✓	✓	✓		✓
Elimination of Part D subsidies deductibility	2013 (Expenses from change recognized in Q1 2010)		✓	✓	✓		✓
Employers provide notice re: exchanges	2013		✓	✓	✓		✓
FSA limit to \$2,500/yr.	2013		✓	✓	✓		✓
State exchanges available	2014	✓	✓ Under 100 lives		✓ Under 100 lives	✓	✓ Under 100 lives
Employer mandate	2014			✓ 50+ full-time employees	✓ 50+ full-time employees		✓ 50+ full-time employees
Free choice voucher	2014		✓ If provide and contribute to coverage	✓ If provide and contribute to coverage	✓ If provide and contribute to coverage		✓ If provide and contribute to coverage
Guarantee issue	2014	✓	✓	✓	✓	✓	✓

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Guarantee renewability	2014	✓	✓	✓	✓	✓	✓
Pre-existing condition coverage for all persons	2014	✓	✓	✓	✓	✓	✓
No lifetime or annual limits	2014	✓	✓	✓	✓	✓	✓
Essential benefits mandate	2014	✓	✓	Unclear		Unclear	Unclear
Auto-enrollment	2014			✓ 200+ employees	✓ 200+ employees		✓ 200+ employees
Increased wellness incentives	2014		✓	✓	✓		✓
Limit on waiting periods	2014			✓ More than 50 employees	✓ More than 50 employees		✓ More than 50 employees
Employer notice on qualifying and affordable coverage	2014		✓	✓ Only if potentially subject to employer mandate	✓ Only if potentially subject to employer mandate		✓ Only if potentially subject to employer mandate
Employer notice on individuals covered (Form 1099-HC)	2014		✓	✓	✓		✓
Cadillac plan excise tax	2018		✓	✓	✓		✓

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