

## Overview of Core ACA Requirements by Size\*

NAME OF REQUIREMENT	WHAT IT REQUIRES	UNDER 50 FT EMPLOYEES (INCLUDING FT EQUIVALENTS)	50 OR MORE FT EMPLOYEES (INCLUDING FT EQUIVALENTS)
<b>Play or Pay (employer mandate)</b>	Employer may owe penalties if the following requirements aren't met: <ul style="list-style-type: none"> <li>Offer minimum essential coverage to at least 95% of full-time employees</li> <li>Define "full-time employee" as working 30 or more hours per week (including those who average 30+ hours over a period of time)</li> <li>Coverage must provide minimum value</li> <li>Coverage must be affordable (less than 9.5% of employee's income)</li> </ul>	Does not apply, BUT: <ul style="list-style-type: none"> <li>There are very detailed rules about how to count employees FT and FT-equivalent employees</li> <li>If two or more companies have common ownership, employees of all companies may need to be included in count</li> </ul>	Applies
<b>ACA Information Reporting</b>	Provide 1095-C form to employees and 1094-C to IRS (in 2016 for 2015 calendar year)	<u>Self-insured</u> : Required <u>Fully insured</u> : Not required (employees will receive necessary form from carrier)	Applies to fully insured and self-insured
<b>W-2 Reporting</b>	Report value of health benefits provided to employees on W-2	Does not apply	Applies only if employer issued 250 or more W-2s for the preceding calendar year
<b>Notice of Employee Subsidy (1411 Certification)</b>	Respond to IRS notice that employee received a subsidy	Required	Required
<b>Notice of Health Coverage Options</b>	Provide information about coverage offered by employer and availability of coverage through the Health Insurance Marketplace to new employees	Required	Required
<b>Summary of Benefits and Coverage</b>	Provide to employees upon enrollment and open enrollment (these are prepared by carrier, and possibly by TPA for self-insured plans)	Required unless carrier provides them to employees directly	Required unless carrier provides to employees directly
<b>Waiting Period Limitation</b>	New or newly eligible employees cannot be required to wait more than 90 days for coverage	Applies	Applies
<b>Community Rating</b>	Premiums within a certain geographical area are predetermined and based solely on the age of individual participants and whether they use tobacco	Applies	Does not apply

*\*Note that this chart includes a selection of ACA requirements that apply (or may be perceived to apply) to different employers based on their size. Many other ACA requirements are not included because they apply regardless of the size of the employer and/or have already been fully integrated into most health plans.*