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**JULY 2009**

## Legislative/Regulatory News

### **Form 5500 Electronic Filing Requirement**

Beginning with the 2009 plan year, the Department of Labor will require retirement and welfare plans to file their annual reports (Form 5500) electronically. There will no longer be the option to file paper forms. All forms MUST be filed electronically, and the system designed by DOL to handle these filings is a completely new (and untested) system that is supposed to be operational as of January 1, 2010. The Form 5500 series is a required filing for almost all retirement plans, but be aware that welfare plans (including health insurance programs) that have 100 participants or more are also generally subject to the filing requirement. Click [here](#) to access the DOL's Form 5500 EFAST webpage for information and other FAQs.

### **Operating Under the 403(b) Regs – A Mid-Year Checkpoint**

As we are midway through the first year of the IRS' 403(b) regulations, plan sponsors may want to step back and consider how their 403(b) plans are faring. Click [here](#) to continue.

### **IRS Issues More Q&As on COBRA and ARRA**

The IRS recently posted additional information on how to administer the complexities of the COBRA subsidy that was created by the American Recovery and Reinvestment Act of 2009 (ARRA). The IRS categorized the Q&S on its website into four areas. Click on the links below to access the Q&A on each topic:

- [Administration and eligibility](#)
- [Reporting and documentation](#)
- [Form preparation](#)
- Taxability and recapture (no new Q&As)

### **EEOC Opinion: Mandated Health Assessments Violate ADA**

A county employer's requirement that employees participate in a health risk assessment as a condition of eligibility for its health plan violates the Americans with Disabilities Act, according to a letter from the Equal Employment Opportunity

Commission. Click [here](#) to continue.

## Examining the Healthy Families Act

If Congress passes the [“Healthy Families Act” \(H.R. 2460\)](#) introduced by Rep. Rosa DeLauro (D-CT.), virtually all employers will be required to allow employees up to 56 hours of annually paid leave. Click [here](#) to continue.

## Question of the Month

Question: Can you explain how the Medicare Secondary Payer (MSP) mandatory reporting requirements apply to our health FSA and HRA? Click [here](#) for the answer.

## Benefit Trends

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## Employees Value a Range of Benefits

A new study released by the Employee Benefits Group of Sun Life Financial suggests that employees value their total benefits offering more than cash. Click [here](#) to continue.

## New Web Site Helps Employers Combat the Obesity Epidemic

Responding to requests from the employer community, the Centers for Disease Control and Prevention recently launched a new Web site titled [LEANWorks!](#), which offers metrics and advice on weight-loss programs in the workplace. Click [here](#) to continue.

## ‘Pay or Play’ Not as Painful as Originally Thought

That’s the word following the release of a new study from the Economic Policy Institute. The research says that a “play or pay” mandate, as is included in both House and Senate health care reform proposals, would cause fewer job losses than originally speculated and health care reform in general would create more job openings. Click [here](#) to continue.

## Replace Copays with Coinsurance to Reduce Medical Costs

If we want employees to be better health care consumers, employers should replace copays with coinsurance. Coinsurance forces employees to think about health care costs but does not require major benefit changes. If costs go up, cost-shifting stays the same. Click [here](#) to continue.

## Wisdom Teeth

EBN recently picked the brains of executives at leading dental benefits providers and dental benefits organizations to ask them about what trends they saw emerging in dental benefits over the next several years, and the tips they'd offer to employers to

make sure their dental benefits matched those trends. Click [here](#) to continue.

## **Employers Add Financial Components to Wellness Programs**

Last summer, as gas prices rose and housing prices came crashing down, Maia Lucier started hearing more requests from employees who wanted to work from home because they needed to save money. Overall, more employees were coming to her and her team complaining that they were worried about their finances. Click [here](#) to continue.

## **Assuring Appropriateness of 401(k) Fees for Value Received**

The impact of financial market turbulence on 401(k) plans has prompted employers to redouble their efforts to manage these savings programs as effectively and economically as possible. In particular, sponsors are taking steps to ensure that they and plan participants are receiving appropriate value for fees paid. Click [here](#) to continue.

## **Done Right, Disability Coverage Can be the Foundation of Financial Plan**

When most of us sit down to list our financial planning priorities, retirement, college tuition and life insurance usually are at the top. What most people overlook, however, is the very thing that makes all of this planning possible: their income. The cornerstone of any sound financial plan is protecting your income. Many employees never ask themselves: What if my ability to earn an income was compromised due to a disability? What happens to my financial plan then? Click [here](#) to continue.

### **Carrier News**

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## **Aetna Health Reform Weekly**

Click [here](#) to read a weekly compilation of health care-related developments in Washington D.C. and state legislatures across the country.

## **AmeriHealth Email Connection: NJ Proposes New Health Insurance Taxes**

Click [here](#) to learn about the new developments on the insurance tax front in New Jersey.

## **Horizon BCBSNJ: Update on East Orange General Hospital Termination**

East Orange General Hospital has terminated its hospital contract with Horizon BCBSNJ. Click [here](#) for more information.

## **MSKCC Joins UHC/OHP Provider Networks Effective 7/1/09**

Click [here](#) to read the notice regarding the admittance of Memorial Sloan Kettering Cancer Centers as an in-network provider.

## Product Information

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### **Bollinger Provides Private Equity Coverage**

Private Equity Firms rely on experienced executives to drive the success and revenue of their acquisitions. An unexpected disability striking a high caliber leader often results in a catastrophic loss to the company's bottom line. Click [here](#) to continue.

## Of Interest

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### **Health Care Reform: What Small Business Wants**

As Congress prepares to do battle over health reform, a parallel dispute is shaping up among small-business groups that are staking out opposing positions on a key element of reform proposals: whether Uncle Sam will take on a bigger role in offering insurance coverage or leave the field to the private market. Click [here](#) to continue.



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