

A Uniform Standard Document to Meet CHIPRA's Employee Notice Requirement

The U.S. Department of Labor (DOL) has issued a model notice to employees under the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA). The model notice is a uniform standard document that may be used by employers nationwide to meet CHIPRA's employee notice requirement. It describes the relevant CHIPRA provisions and lists contact information for the states that offer premium assistance, as the CHIPRA law authorizes.

Employers that fail to issue these notices are subject to penalties of up to \$100 per day per employee. Most states are offering such assistance, and even employers located in states that do not must provide the notice to any employees who reside in states that do. So for example, even though the District of Columbia lacks a premium assistance program, an employer located there still must notify any employees (regardless of enrollment status) who reside in Virginia, a state with premium assistance. An employer may simply notify all its employees if that is easier than differentiating them by state of residence.

What This Means For Counties

The counties as employers must send the notice annually, free of charge, starting with the first plan year after Feb. 4, 2010, although plans whose plan years begin between Feb. 4, 2010 and April 30, 2010 have until May 1, 2010. The notice may be provided with enrollment packets, open enrollment materials or the summary plan description, but must appear separately and in a manner which ensures that an employee who may be eligible for premium assistance could understand the significance. CHP will issue the required CHIPRA notice to its members with the open enrollment materials for January 1, 2011 policy year.