



## BENEFIT NEWS BRIEFS

### *Final SBC Regs Published*

### *New SBC Templates Not Ready Until 2016 for 2017 PY*

The Internal Revenue Service (IRS); Employee Benefits Security Administration (EBSA) and Centers for Medicare & Medicaid Services (CMS) (“the Departments”) recently published a [final rule](#) regarding the summary of benefits and coverage (SBC) for group health plans and health insurance coverage in the group and individual markets under the *Patient Protection and Affordable Care Act (ACA)*. See [Special Bulletin 2015-08](#) for more on the proposed regulations. An HHS Fact Sheet on the final regulations is available by [“clicking here.”](#)

The final SBC regulations adopt the proposed regulations with very few changes and are effective on August 17, 2015. Items adopted that affect multiemployer self-funded group health plans include a plan sponsor’s duty to monitor any 3<sup>rd</sup> party it may use to distribute SBCs and correct any failure by said 3<sup>rd</sup> party to properly distribute the SBCs (see regulation at 2590.715-2715 (a)(1)(iii)(A)). In addition, plan sponsors can continue to use a cover letter or similar disclosure to provide the required minimum essential coverage (MEC) and minimum value (MV) disclosures and continue to rely on the flexibility provided in [ACA FAQ Part XIV](#) until the SBC template and associated documents are finalized and applicable.

A redline showing changes in the final regulation to the current regulation is available by [“clicking here”](#) and allows one to quickly spot the changes made by the final regulations.

In spite of the SBC *regulations* being finalized, the new *SBC template and associated documents* will be not be finalized before January 2016 and the Departments anticipate the revised SBC templates, etc., will apply to coverage beginning on the first day of the first plan year that begins on or after January 1, 2017. i.e. beginning with the 2017 plan year.

Drafts of the current versions of the proposed SBC forms are available for review [online at the EBSA website](#).

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