

HEALTH PLANS, INC.
ACA MEDICAL PLAN PARTICIPATION PROVISIONS
CUSTOM LOOK-BACK CHECKLIST

Client Name: XYZ
Plan(s) (list all to which these provisions will apply): Option A
Effective Date: 1/1/15
Account Manager: H. Plans **Date submitted:** 12/4/14
The amendment will be drafted according to the specifications provided on this Checklist.

Option A – Client specified provisions, subject to ACA rules as noted

Plan provisions going forward

1. Choose either a or b below:
 - a. **Same rules for all employees**
 - b. **Applies only to the categories checked below** (Also complete Option B to specify the provisions for the categories of employees not checked below)
 - Salaried employees
 - Hourly employees
 - All union employees
 - Union employees in following unions only:
 - Employees located in the following states:(no other categories of employees permitted)
2. FT status (choose **one**): (must be 30 or fewer to avoid ACA penalties)
 - a. Current hours requirement in plan document
 - b. Hours per week

For new full-time employees

3. Coverage begins for new FT EEs (choose **one**):
 - a. Current participation date in plan document
 - b. Other – specify: (e.g., first of month following 30 days of employment; but may be no later than (c))
 - c. First day of fourth full calendar month of employment (latest day permitted under ACA)

For new variable hour, seasonal and/or part-time employees

4. Initial measurement period for new variable hour, seasonal and/or part-time employees = months (choose 3-12 months), and starts on (choose **one**):
 - a. First of month following date of hire
 - b. Date of hire
 - c. First day of first complete pay period, if later than (a)(latest date permitted under ACA)
5. Initial stability period for those identified as FT during initial measurement period = months (must be greatest of 6 mos, initial measurement period #4 or standard measurement period #9)
6. Initial stability period for those identified as PT during initial measurement period = months (no longer than initial measurement period #4 + 1 month)
7. Initial stability period starts on: (choose **one**):
 - a. First of month after initial measurement period ends
 - b. Day after initial measurement period ends
 - c. First day of third full calendar month after initial measurement period ends (latest date permitted under ACA)
 - Coverage for those identified as FT during the initial measurement period starts on the first day of the initial stability period

For variable hour, seasonal and/or part-time employees who change to FT status during initial measurement period

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8. Coverage will begin (choose **one**):
- a. First of month following change in status, or same date as #3, if later
 - b. Earlier of:
 - First day of fourth full calendar month following change in status, or
 - First day of 14th full calendar month of employment if hours during initial measurement period average 30 or more during the initial measurement period

For ongoing employees

9. Standard measurement period for ongoing employees = months (choose 3-12 months) and starts on the same day as standard administrative period #11 begins
10. Standard measurement periods begin (provide date(s)) (e.g., if using 12 month measurement period, would begin once a year, e.g., November 1; if using 6 month standard measurement period, would begin two times a year, six months apart, e.g., June 1 and December 1)
11. Standard administrative period for ongoing employees (choose **one**):
- a. 1 month, starting day after standard measurement period ends
 - b. 2 months, starting day after standard measurement period ends
 - c. 90 days, starting day after standard measurement period ends (maximum permitted under ACA)
12. Standard stability period for FT EEs = months (choose 6-12 months, but not less than standard measurement period #9, starting day after standard administrative period ends)
- Coverage for those identified as FT during the standard measurement period begins on the first day of the standard stability period
13. Standard stability period for PT EEs = months (must be no more than standard measurement period #9), starting day after standard administrative period ends

Rules for absences

14. Measuring hours during protected absences due to FMLA, USERRA or jury duty; choose **one**:
- a. Ignore period of leave when averaging hours
 - b. Apply the average hours in effect before the leave to the period of leave
15. Break-in-service rule for breaks of 4 weeks or more
(if rehired within less than 4 weeks, always treat as continuously employed)
(choose **one**):
- a. Rule of parity (treat as continuously employed if break is less than 13 weeks (26 for employees of educational organizations) **and** break is shorter than the prior period of service; otherwise treat as new EE)
 - b. 13-week rule (treat as continuously employed if break is less than 13 weeks (26 for employees of educational organizations); otherwise treat as new EE)
 - c. Current break-in-service rules in plan document (permitted only if more generous than (a) and (b))
16. If continuously employed under #15 and eligible for coverage under look-back rules upon return, restore coverage (choose **one**):
- a. Date of rehire
 - b. First of month following rehire

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First year: Classifying current employees in categories indicated above for the 2015 plan year

17. Choose **one** (a or b*):

- a. If the standard stability period in #12 is 6 months, the employer would measure and average hours over a six-month period that ends no earlier than 90 days before 2015 plan year begins.

Measurement period for current employees begins on: ** and ends on

- b. * If the standard stability period in #12 is 7-12-months, choose a or b below:

- i. Classify as FT or PT using the measurement and administrative periods indicated in #4 and #5, starting in 2014
- ii. Use transition rule and adopt a measurement period with the dates specified below which:
- Is at least six months long
 - Includes July 1, 2014
 - Ends no more than 90 days before the 2015 plan year begins

Measurement period for current employees begins on ** (provide date that is no later than July 1, 2014) and ends on (provide date that is at least six months from the start date above, but no earlier than 90 days before the 2015 plan year begins, and that creates a measurement period that is no longer than the stability period in #12)

*Allows employers who will adopt a 7-12 month measurement periods to use a shorter measurement period to classify current EEs as FT or PT for the 2015 plan year. Historical data from the 2014 plan year may be used to calculate average hours of service.

**Anyone hired after this date must be treated under the rules for new FT employees (#3) or new PT, variable hour or seasonal employees (# 4-7), as applicable.

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Option B– Client specified provisions for employees not checked under 1b in Option A – use only if Option A does not apply to all employees

Plan provisions going forward

1. FT status (choose **one**): (must be 30 or fewer to avoid ACA penalties)
 - a. Current hours requirement in plan document
 - b. Hours per week
-

For new full-time employees

2. Coverage begins for new FT EEs (choose **one**):
 - a. Current participation date in plan document
 - b. Other – specify: (e.g., first of month following 30 days of employment; but may be no later than (c))
 - c. First of month following 90 days of employment (latest day permitted under ACA)
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For new variable hour, seasonal and/or part-time employees

3. Initial measurement period for new variable hour, seasonal and/or part-time employees = months (choose 3-12 months), and starts on (choose **one**):
 - a. First of month following date of hire
 - b. Date of hire
 - c. First day of first complete pay period, if later than (a)(latest date permitted under ACA)
 4. Initial stability period for those identified as FT during initial measurement period = months (must be greatest of 6 mos, initial measurement period #3 or standard measurement period #8)
 5. Initial stability period for those identified as PT during initial measurement period = months (no longer than initial measurement period #3 + 1 month)
 6. Initial stability period starts on: (choose **one**):
 - a. First of month after initial measurement period ends
 - b. Day after initial measurement period ends
 - c. First day of third full calendar month after initial measurement period ends (latest date permitted under ACA)
 - Coverage for those identified as FT during the initial measurement period starts on the first day of the initial stability period
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For variable hour, seasonal and/or part-time employees who change to FT status during initial measurement period

7. Coverage will begin (choose **one**):
 - a. First of month following change in status, or same date as #2, if later
 - b. Earlier of:
 - First day of fourth full calendar month following change in status, or
 - First day of 14th full calendar month of employment if hours during initial measurement period average 30 or more during the initial measurement period

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For ongoing employees

8. Standard measurement period for ongoing employees = months (choose 3-12 months) and starts on the same day as standard administrative period #10 begins
9. Standard measurement periods begin (provide dates) (e.g., if 6 month standard measurement period, may begin Dec 1 and June 1)
10. Standard administrative period for ongoing employees (choose **one**):
- a. 1 month, starting day after standard measurement period ends
 - b. 2 months, starting day after standard measurement period ends
 - c. 90 days, starting day after standard measurement period ends (maximum permitted under ACA)
11. Standard stability period for FT EEs = months (choose 6-12 months, but not less than standard measurement period #8, starting day after standard administrative period ends)
- Coverage for those identified as FT during the standard measurement period begins on the first day of the standard stability period
12. Standard stability period for PT EEs = months (must be no more than standard measurement period #8), starting day after standard administrative period ends

Rules for absences

13. Measuring hours during protected absences due to FMLA, USERRA or jury duty; choose **one**:
- a. Ignore period of leave when averaging hours
 - b. Apply the average hours in effect before the leave to the period of leave
14. Break-in-service rule for breaks of 4 weeks or more (if rehired within less than 4 weeks, always treat as continuously employed) (choose **one**):
- a. Rule of parity (treat as continuously employed if break is less than 13 weeks (26 for employees of educational organizations) **and** break is shorter than the prior period of service; otherwise treat as new EE)
 - b. 13-week rule (treat as continuously employed if break is less than 13 weeks (26 for employees of educational organizations); otherwise treat as new EE)
 - c. Current break-in-service rules in plan document (permitted only if more generous than (a) and (b))
15. If continuously employed under #14 and eligible for coverage under look-back rules upon return, restore coverage (choose **one**):
- a. Date of rehire
 - b. First of month following rehire

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First year: Classifying current employees in categories indicated above for the 2015 plan year

16. Choose **one** (a or b*):

- a. If the standard stability period in #11 above is 6 months, the employer would measure and average hours over a six-month period that ends no earlier than 90 days before 2015 plan year begins.

Measurement period for current employees begins on: ** and ends on

- b. * If the standard stability period in #11 above is 7-12-months, choose a or b below:

- i. Classify as FT or PT using the measurement and administrative periods indicated in #3 and #4 above, starting in 2014
- ii. Use transition rule and adopt a measurement period with the dates specified below which:
- Is at least six months long
 - Includes July 1, 2014
 - Ends no more than 90 days before the 2015 plan year begins

Measurement period for current employees begins on ** (provide date that is no later than July 1, 2014) and ends on (provide date that is at least six months from the start date above, but no earlier than 90 days before the 2015 plan year begins)

*Allows employers who will adopt 7-12-month measurement periods to use a shorter measurement period to classify current EEs as FT or PT for the 2015 plan year. Historical data from the 2014 plan year may be used to calculate average hours of service.

**Anyone hired after this date must be treated under the rules for new FT employees (#2) or new PT, variable hour or seasonal employees (# 3-6), as applicable.