



COMMERCIAL INSURANCE

EMPLOYEE BENEFITS

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SURETY



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STATE EMPLOYER INDIVIDUAL MANDATE REPORTING

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When the Affordable Care Act was passed, it included mandated insurance coverage for all Americans, known as the individual mandate. The Tax Cuts and Jobs Act of 2017 reduced the Affordable Care Act individual mandate penalty to \$0.00, effective January 1, 2019. In response, several jurisdictions (California, District of Columbia, New Jersey, Rhode Island, and Vermont) followed Massachusetts' lead and enacted their own state-level health coverage requirements (Massachusetts has had mandated coverage since 2007). This means that these states require coverage for individuals and employers to report this to the state (or District of Columbia).

New Jersey and Washington, D.C.'s mandates went into effect on January 1, 2019, with employer reporting starting early in 2020. California and Rhode Island's took effect January 1, 2020, and their first reports will be due in early 2021. Vermont currently does not have any employer reporting requirement, and Rhode Island has yet to issue any details about what employers must report. If your health plans are fully insured, your insurer will likely report coverage to the state on your employees' behalf. If you are self-funded, we recommend you check with the provider that creates your federal reporting, as they should also be able to report to the state.

Several other states have either passed individual mandates or most likely will soon, increasing the reporting requirements for employers. These include

Vermont, Connecticut, Hawaii, Maryland, Minnesota, and Washington.

To help navigate the complexities of these state-level requirements, Benefit Comply has developed a guide to summarize the critical information you will need to ensure compliance. It starts with a high-level chart summarizing each state's key requirements, and additional details are provided along with links to resources for further information on the following states:

	State Filing	Employee Statements
California (new)	March 31	January 31 (but no penalty in 2021)
Massachusetts (in place for several years)	March 31	January 31
New Jersey (year two)	March 31	March 2
Rhode Island (new)	March 31	March 31
Washington, D.C. (year two)	30 days after IRS deadline	Same as IRS deadline (March 2 in 2021)

If you are interested in receiving a copy of the guide or have any other questions about reporting for states with individual mandates, please contact your Parker, Smith & Feek client service team.