

Benefits

BUZZ

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AxisPointe

January 2018

DOL Delays New Rules for Disability Benefit Claims

On Dec. 16, 2016, the Department of Labor (DOL) released a [final rule](#) to strengthen the claims and appeals requirements for plans that provide disability benefits and are subject to the Employee Retirement Income Security Act (ERISA). That rule has been [delayed](#) until **April 1, 2018**.

According to the DOL, concerns were raised that the final rule will impair workers' access to disability benefits by driving up costs and increasing litigation. During the delay, the DOL will review the final rule to determine whether it is unnecessary, ineffective or imposes costs that exceed its benefits.

Sponsors of ERISA plans that include disability benefits should continue to monitor the status of the final rule.



Protections for Disability Claimants

The final rule requires that plans, plan fiduciaries and insurance providers comply with additional procedural protections when dealing with disability benefit claimants. The final rule includes the following requirements for the processing of claims and appeals for disability benefits:

- Improvement to basic disclosure requirements
- Right to claim file and internal protocols
- Right to review and respond to new information before final decision
- Avoiding conflicts of interest
- Deemed exhaustion of claims and appeal processes
- Certain coverage rescissions are adverse benefit determinations subject to the claims procedure protections
- Notices written in a culturally and linguistically appropriate manner

Please contact AxisPointe with any questions.

DID YOU KNOW?

The Republican tax bill passed the Senate, marking an end to the Affordable Care Act's (ACA) individual mandate.

For how this may affect your employees or the health insurance marketplace, watch out for updates from AxisPointe.

Plan Ahead with ACA Reporting

Under the ACA, every applicable large employer (ALE) and every entity that provides minimum essential coverage, such as a health insurance issuer or sponsor of a self-funded plan, must comply with certain reporting requirements.

The ACA reporting rules require filing of an annual return with the IRS and furnishing of individual statements to certain employees.

Returns are due in early 2018 for health plan coverage offered or provided in 2017. Returns for 2017 must be filed with the IRS by **Feb. 28** (or April 2 if filed electronically, since March 31 is a Saturday). For the 2017 calendar year, written statements must be provided to employees no later than **March 2, 2018**.

Speak with us if you need any guidance on your 2017 filing requirements.

HR Brief

Human Resources tips brought to you by
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Online Portal for Employment Discrimination Claims

The Equal Employment Opportunity Commission (EEOC) has launched a new online tool intended to make it easier for employees to initiate employment discrimination claims against their employers.

The [EEOC Public Portal](#) allows individuals to obtain EEOC services, file charges against employers and monitor their claims through the internet.

For Employers

Employers subject to federal anti-discrimination laws should be aware of the new portal because it may increase the likelihood of EEOC charges being filed. The best way for employers to guard against claims is to ensure that their employment policies comply with applicable legal requirements.



While most EEOC-enforced laws apply only to employers with 15, 20 or more employees, virtually all employers are subject to at least one of the laws, such as the Equal Pay Act.

Portal Features

In addition to facilitating online inquiries and requests for interviews, the EEOC Public Portal allows for the following:

- Engaging in pre-charge interviews and counseling with EEOC agents via webcams and teleconferencing
- Inputting the data required for a charge of discrimination against an employer
- Directing the EEOC to prepare a formal charge against an employer
- Reviewing, digitally signing and filing a formal charge that has been prepared by the EEOC

When a charge is filed against an employer, the EEOC will send a notice that directs the employer to a separate online system called the [EEOC Respondent Portal](#), which allows employers to view a filed charge, file a response, communicate with the EEOC and upload documents related to the charge.

For more information about how the Public Portal can affect your business and its employees, visit [eEOC.gov](#).

DID YOU KNOW?

Gallup's 2017 State of the American Workplace report shows that 51 percent of employed adults are searching for new job opportunities. Moreover, 47 percent believe now is the right time to find a worthwhile job.

If you do not have an employee retention strategy in place, now is the time to start. Contact AxisPointe today to discuss the retention resources available to you.

Senate Tax Bill Repercussions

UPDATE: This tax bill was signed into law in late December.

Beyond the proposed tax cuts for affluent Americans, here are some areas affected by the bill that may impact your business:

- The individual mandate
- Retirement plans
- Tuition benefits
- Dependent care flexible spending accounts
- Paid leave credits
- Defined benefit pensions

Since this legislation must still be reconciled, aspects may change in the near future.

Contact AxisPointe for more information on how this bill may affect your organization.