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February 11, 2010

Department of Labor Issues Model CHIPRA Notices

On February 4, 2009, the Children's Health Insurance Program Reauthorization Act of 2009 ("CHIPRA") was signed into law. In order to comply with CHIPRA, employers who offer group health plans must provide notice to their employees of their rights under CHIPRA. On February 4, 2010, the Department of Labor issued a model CHIPRA notice, which can be located on their website - <http://www.dol.gov/ebsa/chipmodelnotice.doc>. This notice will need to be tailored for your particular plan(s) and must be distributed by the later of the first day of the first plan year beginning after February 4, 2010 or May 1, 2010 (January 1, 2011 for calendar year plans). Additionally, you will need to review your policies and procedures to ensure that these notices are timely and properly distributed. For example, states may elect to offer premium assistance for employer-sponsored health plans. If the state chooses to offer premium assistance, the employer may elect to have the premium assistance paid directly to the employee to avoid having to deal with the individual states, or the can elect to receive the premium assistance directly from the state. Depending on your state and how you choose to handle the premium assistance (if applicable), you will need to ensure that your policies and procedures correctly reflect your choice.

Please contact Dana Thrasher (205-226-5464), Dave Pearson (813-222-1367), Bob Ellerbrock (205-226-5462), or Jay Turner (205-226-5468) for assistance with your CHIPRA notices. We are happy to walk you through these required changes and help you confirm that you are in compliance with CHIPRA's requirements.

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