

Understanding and Reporting Employer-Sponsored Insurance



June 2018

Objective

- Assisters will have basic knowledge of employer-sponsored insurance (ESI) and its impact on an individual's or family's ability to obtain coverage through MNsure. Assisters will also understand how consumer's should correctly report ESI on the application.
- This presentation will cover the following topics:
 - Minimum essential coverage
 - Defining employer-sponsored insurance (ESI)
 - ESI and eligibility for financial assistance
 - Reporting ESI on the MNsure application
 - Special enrollment periods (SEPs) connected with ESI
 - ESI verification process



Minimum essential coverage (MEC)

- The ACA requires that nearly all Americans must have health insurance coverage that meets a minimum standard (called minimum essential coverage) through the end of 2018.
- For plan year 2019, the penalty for failing to maintain coverage (individual shared responsibility payment) is removed.
- Employer shared responsibility mandate is still in effect.

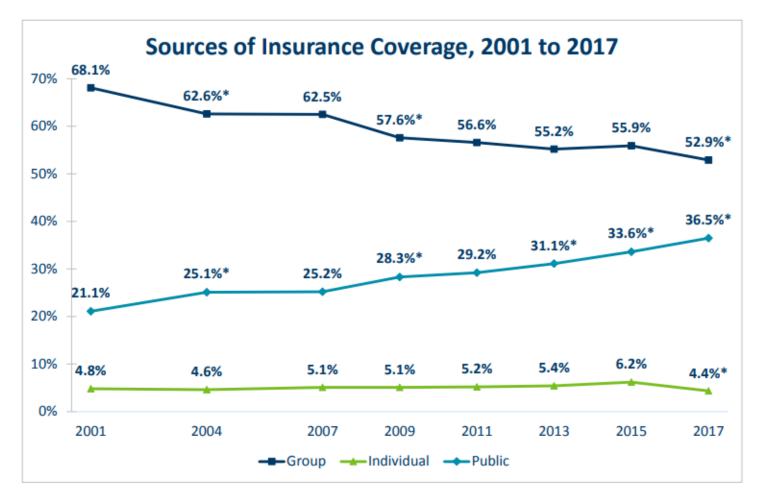


Minimum essential coverage

- Minimum essential coverage (MEC) is defined in law and includes:
 - Specified government-sponsored programs, including Medicaid and MinnesotaCare
 - Individual market coverage, such as QHPs purchased through MNsure
 - Employer-sponsored coverage under a group health plan
 - Other coverage and certain coverage that may provide limited benefits



Sources of coverage



* Indicates statistically significant difference from previous year shown at the 95% level Source: Minnesota Department of Health, Health Economics Program, 2001, 2004, 2007, 2009, 2011, 2013, 2015 and 2017 Minnesota Health Access Survey.



Employer-sponsored insurance (ESI)

- Employer-sponsored insurance is coverage under a group health plan (including self-insured plans), such as:
 - Coverage provided by an employer to an employee and coverage dependents
 - Retirement benefits
 - Continuation coverage required under federal or state law (such as health coverage through the Consolidated Omnibus Budget Act (COBRA))
- Access to ESI, including access through a family member's employer, can impact an individual's eligibility for financial assistance – even if the individual is NOT enrolled.



ESI and eligibility for financial assistance

- Eligibility for MinnesotaCare and APTC follow the same rules. In general:
 - If you are enrolled in ESI, you are treated as eligible for MEC and are not eligible for financial assistance.
 - If you have access to but are not enrolled in ESI, you are treated as eligible for MEC, so long as the ESI coverage meets minimum value and affordability standards.
- Medical Assistance:
 - Being enrolled in ESI is not a barrier to eligibility.
 - An offer of ESI (having access to ESI) is not a barrier to eligibility, even if the ESI coverage meets minimum value and affordability standards.
 - If the ESI is considered "cost-effective," MA may pay the employee's premiums.

Minimum value & affordability standards

- If an applicant has access to ESI, but is not enrolled, the ESI must meet two standards to be a barrier to MinnesotaCare and APTC:
 - Minimum value standard The plan covers 60 percent of the total allowed costs of benefits provided to the employee under the plan (the equivalent of a bronze plan). AND
 - Affordability standard The employee portion of the annual premium for self-only coverage is not more than 9.56% of the employee's annual household income.
- If the ESI meets both of these standards, the individual is treated as eligible for MEC and is not eligible for MinnesotaCare or APTCs.



ESI: Dependents and spouses

- A person who is eligible for coverage under an employersponsored plan because of his or her relationship to the employee (such as a dependent or spouse), is considered to have access to MEC if enrolled or eligible to enroll in the plan.
 - The "family glitch": If the cost of the employee-only meets the affordability test for the employee, all household members who are eligible to enroll in the plan are considered to have access to MEC, regardless of the cost of the family coverage.
- Special rule: An individual who is eligible for ESI due to their relationship to an employee, but for whom the employee is not expecting to take a personal exemption deduction, is only considered to have MEC if the individual is enrolled in the ESI plan.





Reporting ESI on the application



Gathering information: Appendix A

fou do not need to answer these questions unles bage for each job that offers coverage. Take this f his information to complete your application.			
EMPLOYEE Information			
1. EMPLOYEE NAME (FIRST, MIDDLE, LAST)		2. EMPLOY	EE SOCIAL SECURITY NUMBER
EMPLOYER Information			
3. EMPLOYER NAME		4. EMPLOY	R IDENTIFICATION NUMBER (EIN)
5. EMPLOYER ADDRESS			6. EMPLOYER PHONE NUMBER
7. СЛУ		8. STATE	9. ZIP CODE
10. Whom can we contact about employee health	coverage at this job?		
11. PHONE NUMBER (if different from above)	12. EMAIL ADDRESS		
waived an offer of employer-sponsored cover		o future option to	enroll in an employer plan, answe
waived an offer of employer-sponsored cover	rage for a prior plan year and there is n period, when can you enroll in covera	o future option to	enroll in an employer plan, answe
waived an offer of employer-sponsored cover Yes – continue 13a. If you are in a waiting or probationary	rage for a prior plan year and there is n period, when can you enroll in coverage ple for coverage from this job.	o future option to	enroll in an employer plan, answe
walved an offer of employer-sponsored cover Ves – continue 13a. If you are in a waiting or probationary List the names of anyone else that is eligib	rage for a prior plan year and there is n period, when can you enroll in coverage le for coverage from this job.	o future option to	enroll in an employer plan, answe
walved an offer of employer-sponsored cover Ves – continue 13a. If you are in a waiting or probationary List the names of anyone else that is eligib No – stop here and go to step 3 in the app	rage for a prior plan year and there is n period, when can you enroll in covera ele for coverage from this job. elication ed by this employer.	o future option to	enroll in an employer plan, answe
waived an offer of employer-sponsored cover Ves – continue Isa If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Tell us about the health plan offer to Does the employer offer a health plan that me is Fort he lowest-cost plan that meets the minin employer have wellness programs, provide the tobacco cessation programs, and did not rece	rage for a prior plan year and there is n period, when can you enroll in covera- ble for coverage from this job. olication ad by this employer. eets the minimum value standard? offered only to to premium that the employee would pa- ive any other discounts based on welli	yes No the employee (doo	enroll in an employer plan, answe ? not include family plans): if the
walved an offer of employer-sponsored cover Ves - continue 13a. If you are in a waiting or probationary List the names of anyone else that is eligib No - stop here and go to step 3 in the app Teil us about the health plan offer 14. Does the employer offer a health plan that me 15. For the lowest-cost plan that meets the minin employer has wellness programs, provide the tobacco cessation programs, and did not rece a. What is the name of the lowest-cost plan of	age for a prior plan year and there is n period, when can you enroll in covera- ile for coverage from this job. Ilication ad by this employer. ets the minimum value standard? [num value standard* offered only to t premium that the employee would p we any other discounts based on well ffered by the employer?	yes No the employee (doo	enroll in an employer plan, answe ? not include family plans): If the
waived an offer of employer-sponsored cover Ves – continue Isa If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Tell us about the health plan offer 14. Does the employer offer a health plan that me tobacco cessation programs, and did not rece a. What is the name of the lowest-cost plan b. How much would the employee have to plano b. How much would the employee have to plano	rage for a prior plan year and there is n period, when can you enroll in coverag lef or coverage from this job. alication ed by this employer. est the minimum value standard?? { num value standard* offered only to t here any tother discounts based on well freered by the employer? ay in premiums for this plan? \$	o future option to ge (MM/DD/YYYY) Yes No he employee (do y) if he or she rece ness programs.	enroll in an employer plan, answe ? not include family plans): If the lived the maximum discount for an
walved an offer of employer-sponsored cover Ves – continue Isa. If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Tell us about the health plan offerd to Boes the employer offer a health plan that me So for the lowest-cost plan that meets the minin employer have wellness programs, provide the tobacco cessation programs, and did not rece a. What is the name of the lowest-cost plan o b. How much would the employee have to p c. How often? Weekly Every two	rage for a prior plan year and there is n period, when can you enroll in coverag ele for coverage from this job. clication ed by this employer. ets the minimum value standard?? thum value standard? offered only to t permium that the employee would p ive any other discounts based on well ffered by the employer?	o future option to ge (MM/DD/YYYY) Yes No he employee (do y) if he or she rece ness programs.	enroll in an employer plan, answe ? not include family plans): if the
waived an offer of employer-sponsored cover Ves – continue Isa. If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Tell us about the health plan offer to Does the employer offer a health plan that me Is For the lowest-cost plan that meets the minin employer has wellness programs, provide the tobacco cessation programs, and did not rece a. What is the name of the lowest-cost plan o b. How much would the employer have to p c How often? Weekly Every two Is. Wat change will the employer make for the	rage for a prior plan year and there is n period, when can you enroll in coverag ele for coverage from this job. clication ed by this employer. ets the minimum value standard?? thum value standard? offered only to t permium that the employee would p ive any other discounts based on well ffered by the employer?	o future option to ge (MM/DD/YYYY) Yes No he employee (do y) if he or she rece ness programs.	enroll in an employer plan, answe ? not include family plans): If the ved the maximum discount for ar
waived an offer of employer-sponsored cover Ves – continue Isa If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Teil us about the health plan offer to Does the employer offer a health plan that me to bacco cessation programs, and did not rece a. What is the name of the lowest-cost plan o b. How much would the employer have to p c. How often? Weekly Dever twue Mat change will the employer make for the to Demployer have to the name of the lowest-cost plan o b. How much would the employer have to p c. How often? Weekly Dever twue Demployer will start offering health coverage Demployer will not offer health coverage Demployer will not offer health coverage Demployer will start offering health coverage Demployer will start offering health coverage Demployer will start offering health coverage Demployer twill start offering health	rage for a prior plan year and there is n period, when can you enroll in coverag ble for coverage from this job. blication bli	o future option to ge (MM/DD/YYYY) Yes No Yes No Yes No He employee (do by if he or she rece ness programs. Monthly	enroll in an employer plan, answe ? not include family plans): If the ved the maximum discount for ar Quarterly Yearly cost plan available only to
walved an offer of employer-sponsored cover Ves – continue Tai. If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Tell us about the health plan offerd to Does the employer offer a health plan offerd to Does the employer offer a health plan that me to bacco cessation programs, and did not rece a. What is the name of the lowest-cost plan of b. How much would the employer have to plan c. How often? Weekly Every two 16. What change will the onffer health coverage Employer will start offering health coverage	rage for a prior plan year and there is n period, when can you enroll in coverage he for coverage from this job. clication cli	o future option to ge (MM/DD/YYYY) Yes No Yes No Yes No He employee (do by if he or she rece ness programs. Monthly	enroll in an employer plan, answe ? not include family plans): If the ved the maximum discount for an Quarterly Yearly cost plan available only to
waived an offer of employer-sponsored cover Ves – continue Ta. If you are in a waiting or probationary List the names of anyone else that is eligit No – stop here and go to step 3 in the app Fell us about the health plan offer 14. Dees the employer offer a health plan that me To of the lowest-cost plan that mests the minim 15. For the lowest-cost plan that mests the minim 16. Wons the name of the lowest-cost plan to tree a. What is the name of the lowest-cost plan 16. How much would the employee have to p c. How often? Weekly Devey two 16. What change will the employee make for the ci Deployer will start offering health coverag Employer will start offering health coverag the employee will start offering health coverag the employee the to the start mest the minimum v question 15.)	rage for a prior plan year and there is n period, when can you enroll in coverag ele for coverage from this job. clication ad by this employer. ests the minimum value standard? { fifter d by the employer would p we any other discounts based on well fiftered by the employer?	o future option to ge (MM/DD/YYYY) Yes No he employse (do with end or set of the set of the or set of the set of the or set of the monthly in for the lowest- t the discount for	enroll in an employer plan, answe ? not include family plans): If the lived the maximum discount for an Quarterly Yearly

NEED HELP WITH THIS APPLICATION? Visit www.mnsure.org or call us at 855-366-7873. If you need
help in a language other than English, tell us the language you need. We will get you help at no cost to you.



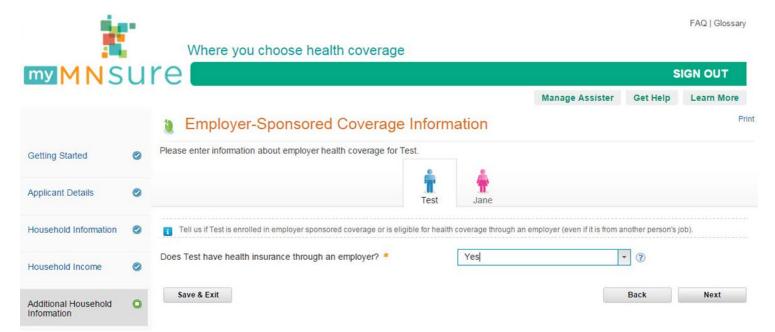
Scenario 1: Enrolled in ESI

- Scenario: A consumer has access to ESI and is enrolled. They will not be eligible for MinnesotaCare, APTC or cost-sharing reductions. They may be eligible for Medical Assistance.
- Check box below individuals who are enrolled or have access to ESI coverage. Remember this may include the children and/or spouse of the employee.

U	re la		S	
		Manage Assister	Get Help	Learn More
	The second secon			Pri
0	Please answer these additional questions about the household.			
	Please select the individuals below who are enrolled in employer sponsored coverage or coverage could be through the person's own employment or through another person's en-	have access to employer spo	onsored covera	ige. Access to
Ø	coverage could be allough the person's own employment of unough another person's en	poyment, such as a parent	or spouse.	
	Ť	•		
0	Test	Jane		
		V		
0	Save & Exit		Back	Next
	0	 Employer Sponsored Coverage Information Please answer these additional questions about the household. Please select the individuals below who are enrolled in employer sponsored coverage or coverage could be through the person's own employment or through another person's enrol for through ano		Manage Assister Get Help Control Coverage Information Please answer these additional questions about the household. Please select the individuals below who are enrolled in employer sponsored coverage or have access to employer sponsored coverage coverage could be through the person's own employment or through another person's employment, such as a parent or spouse.

Scenario 1: Enrolled in ESI (continued)

 On the next screen, select "Yes" if the individual has health insurance through an employer (it could be through another member of the household).





Scenario 1: Enrolled in ESI (cont.)

 On the next screen, the individual will provide additional information about their employer. Employees can use Appendix A to request information (such as Employer Identification Number) from their employer.

		Additional Information	ation of Emplo	yer			Print
Getting Started	0	Please provide additional information eligibility for the health insurance prog		red coverag	e. The information provided	on this page will be used in the	determination
Applicant Details	0			Test			
Household Information	0					* Ind	icates a required field
Household Income	0	Please provide additional information health insurance programs.	on the employer-sponsored	coverage. Th	e information provided on this pa	age will be used in the determination	eligibility for the
Additional Household	0	Employer Details					
Information		Employer Name *	1			3	
Summary		Employer Identification Number*			3		
		Is the employee employed full-time? Address	Piease Selec	t-	• ③		
		Address Line 1*	234 Avenue		Address Line 2		
		Apt/Suite			City *	Anoka	
		County *	Anoka	*	State *	Minnesota	*
		Zip Code *	55304				



Scenario 1: Enrolled in ESI (end)

- On the "Additional Information of Employer" screen, the individual will also need to indicate:
 - The date the coverage started,

Tammy

- Whether the coverage is ending in the next two months, and
- Whether any other applicants are also enrolled in this plan.

Other Contact Information This information is not required but you can p	rovide it to make it easier for us to contact your employer.	
Phone Number		
Coverage Details		
Plan Enrolled On *	01/01/2018	?
Is this coverage ending in the next 2 months?*	No	3
Please select any of the Insurance Assistance	e applicants who are also enrolled on this employer sponsored plan.	

甞

Lydia



*

Robert

Scenario 2: Enrolled in ESI, but losing coverage

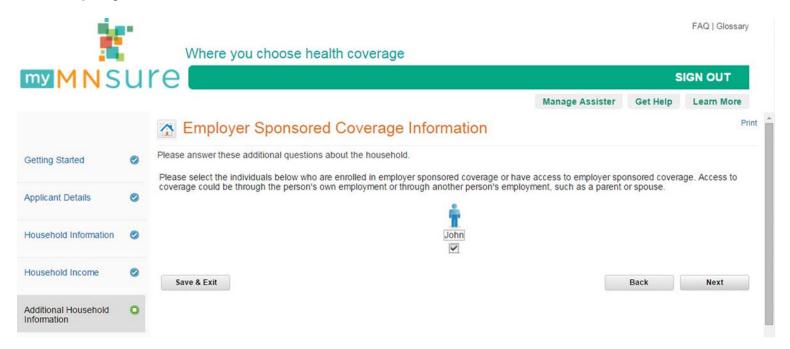
- Scenario 2: The consumer is currently enrolled in ESI, but coverage will be ending in next two months.
- All screens up to this point are the same. Select "Yes" that the coverage is ending in the next 2 months. The application will ask for the coverage end date.

Other Contact Information This information is not required but you can p	rovide it to make it easier for us to contact your employer.	
Phone Number		
Coverage Details		
Plan Enrolled On *	01/01/2018	0
Is this coverage ending in the next 2 months? *	Yes	• ②
Coverage End Date *	7/1/2018	
Please select any of the Insurance Assistance	e applicants who are also enrolled on this employer sponsored pla	an.
_ 	*	*
Tammy	Lydia	Robert
•	\checkmark	×

 The eligibility determination will be based on the consumer's status on the date of application. If the consumer's coverage is ending in the future, they will need to call MNsure.

MNSUre

- Scenario 3: The consumer has access to ESI, but is not enrolled.
- Check the box below individuals who have access to ESI coverage. Remember this may include the children and/or spouse of the employee.





 On the next screen, select "No," the individual does not have health insurance through an employer (they are not enrolled). But select "Yes" that they do have access to health insurance through an employer. Remember, this could include access to coverage through another member of the household.

1	•					FAQ Glossary
		Where you choose health coverage				
my MNS	u	re			S	
				Manage Assister	Get Help	Learn More
		Employer-Sponsored Coverage Inform	nation			Print
Getting Started	0	Please enter information about employer health coverage for John.				
Applicant Details	0	Ŀ	ohn			
Household Information	0	Tell us if John is enrolled in employer sponsored coverage or is eligible for heal	th coverage through a	in employer (even if it is from	another person's	job).
Household Income	0	Does John have health insurance through an employer? *	No		• ③	
Additional Household Information	0	Does John have access to health insurance through an employer? *	Yes		•	
Summary		Save & Exit			Back	Next



 The next screen will ask for additional information about the applicant's offer of coverage through an employer. Note that the application says this information will be used to determine whether the coverage qualifies as MEC.

Please enter information about employer spowest cost "self-only" plan that meets the	ponsored coverage available to John. If John can minimum value standard.	get insurance through more than one er	nployer, enter the
	John		
		* Ir	dicates a required field
	* * * * * * * * * * * * * * * * * * * *		
Please provide additional information on the	employer-sponsored coverage. The information provide	d on this page will be used to determine if the	coverage qualifies
Please provide additional information on the as minimum essential coverage, which may	e employer-sponsored coverage. The information provided influence the eligibility determination.	d on this page will be used to determine if the	coverage qualifies
as minimum essential coverage, which may	e employer-sponsored coverage. The information provide influence the eligibility determination.	d on this page will be used to determine if the	coverage qualifies
as minimum essential coverage, which may	e employer-sponsored coverage. The information provide influence the eligibility determination.		coverage qualifies
Please provide additional information on the as minimum essential coverage, which may Employer Details Employer Name *	e employer-sponsored coverage. The information provide influence the eligibility determination.	d on this page will be used to determine if the	coverage qualifies
as minimum essential coverage, which may Employer Details Employer Name *	e employer-sponsored coverage. The information provide influence the eligibility determination.		coverage qualifies
as minimum essential coverage, which may	e employer-sponsored coverage. The information provided influence the eligibility determination.		



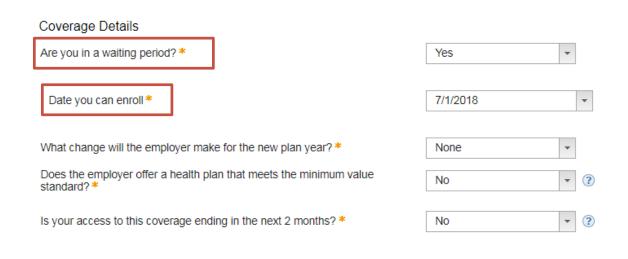
 The same screen asks for additional details about the employer and the coverage.

234 Avenue	Address Line 2			
	City *			
-Please Select-	State *	Please	Select-	*
ed but you can provide it to make it easier for u	us to contact your employer.			
]		A	
*	Please Select •	1	The respo	onses play
yer make for the new plan year? *	Please Select +			
ealth plan that meets the minimum value	Please Select 🔹	3	We'll walk	0 0
		-	scenarios	
		City * —Please Select— • State * • ed but you can provide it to make it easier for us to contact your employer. • • Please Select— • • • • • • • • • • • • • • • • • • •	City* -Please Select- State* -Please ver make for the new plan year?* -Please SelectPlease Select	City* -Please Select- State* -Please Select- Answer th questions The respond an import determini Weill well

MNSUre

Scenario 3: Waiting period

- Employers often require new employees to go through a waiting period before their coverage begins. This information can be collected from the employer using Appendix A (Question 13).
- If the consumer is in a waiting period, select "Yes" and then indicate the date the consumer is eligible to enroll in ESI. Otherwise, select "No."



An employee who is offered ESI but is in a required waiting period before the coverage becomes effective is not treated as being eligible for MEC during the waiting period. They would be eligible for MinnesotaCare and APTC during the waiting period.



Scenario 3: Upcoming change to plan

 An employer may be making a change to the ESI that could impact the applicant's eligibility for financial assistance. This information can be collected from the employer using Appendix A (Question 16).

Coverage Details	
Are you in a waiting period? *	No
What change will the employer make for the new plan year? *	•
Does the employer offer a health plan that meets the minimum value standard? *	None Employer won't offer health coverage
Is your access to this coverage ending in the next 2 months?*	Employer will change the cost of the lowest cost plan available to the employee I don't know

Save & Exit



Next

Back

Scenario 3: Minimum value standard

 This is the point on the application where the applicant reports whether the ESI qualifies as MEC. The first question asks whether the employer's health plan meets the minimum value standard. Employees can collect this information from their employer using Appendix A (Question 14).

Coverage Details			
Are you in a waiting period? *	Yes 💌		
Date you can enroll *	7/1/2018 👻		
What change will the employer make for the new plan year?*	None 👻		
Does the employer offer a health plan that meets the minimum value standard? $\ensuremath{^*}$	No • ?		
Is your access to this coverage ending in the next 2 months? *	No - ?		
Save & Exit		Back	Next

²³ If the answer is "No", then the coverage does not meet the minimum value standard and is not considered MEC (no additional questions are asked).

MNSUre

Scenario 3: Affordability standard

 If the plan does meet the minimum value standard, then the application will ask three additional questions to determine whether the ESI meets the affordability standard.

Coverage Details				
Are you in a waiting period? *	No	•		
What change will the employer make for the new plan year? st	I don't know	•		
Does the employer offer a health plan that meets the minimum value standard? *	Yes	• ?		
Employee Contribution for Self-Only Coverage *		(?		
Lowest Cost Plan *				(?
Please select how often the amount for self-only coverage has to be paid. *	Please Select	• ?		
s your access to this coverage ending in the next 2 months?*	Please Select	• ?		
Save & Exit		[Back	Next



Scenario 3: Affordability standard

• Employee contribution for self-only coverage. This amount can be collected from the employer using Appendix A (Question 15).

Please enter the amount to be contributed by the employee for self- only coverage under
he lowest cost plan.

• Lowest cost plan. The applicant should enter the name of the lowest cost plan available to the employee. This information is NOT asked on Appendix A, but can be collected from the employer.

Does the employer offer a health plan that meets the minimur standard? *	Lowest Cost Plan	9
	Please enter the name of the lowest cost plan offered by the Employer.	
Employee Contribution for Self-Only Coverage *		
Lowest Cost Plan *		D

 How often is the amount for self-only coverage paid. This may be monthly, quarterly, yearly, etc. This information can be collected from the employer using Appendix A (Question 15).

MNSUre

Reporting ESI coverage

- Consumers should answer ESI questions for the current month, even if they are applying for coverage in the future (such as during open enrollment).
- The system will determine eligibility based at the time of application. If a consumer is enrolled in ESI that is ending soon, they may be determined ineligible for APTC (because that is the correct determination as of the application date). However, the notice may show eligibility for APTC at a future date (after ESI has ended).
- The consumer will need call MNsure to report changes.



Special enrollment periods

- What is a special enrollment period (SEP)?
 - SEP is required to enroll or change QHPs outside of the annual open enrollment period.
 - An individual must either experience a qualifying event or be a member of federally-recognized tribe in order to qualify.
 - SEP allows an individual, who is otherwise eligible to purchase QHP, to enroll in a QHP or change QHPs
 - Individuals may qualify for an SEP during open enrollment – special coverage effective dates apply.



ESI special enrollment eligibility

- The following situations are some qualifying events that trigger a special enrollment period:
 - Change in ESI causing new advanced premium tax credit (APTC) or cost-sharing reduction (CSR) eligibility. (For example, termination of employer contributions for an individual who has coverage that is not COBRA.)
 - Loss of minimum essential coverage when an employer ends coverage or employee or spouse loses or leaves a job.
- These are not qualifying events:
 - Losing MEC due to failure to pay premiums.
 - Voluntarily terminating coverage that meets minimum value and affordability standards.



Terminating ESI coverage

- An employee whose ESI does not meet minimum value or affordability standards can terminate that coverage and can still be eligible for financial assistance:
 - They are considered eligible for MinnesotaCare the day after ESI is terminated. However, coverage will not begin until the first day of the month after the premium is paid, or the first day of the month after MinnesotaCare is approved, if no premium is required.
 - During open enrollment, they can voluntarily switch from ESI to QHP.
 - Outside of open enrollment, voluntary termination of coverage does not trigger a special enrollment period (SEP) for enrolling in a QHP.



COBRA

- Clarification of COBRA impact on SEP eligibility
 - SEP due to loss of job-based coverage available even if offered COBRA (or continuation coverage required under state law).
 - If you accept COBRA, you can switch to MNsure:
 - During the 60-day SEP for loss of job-based coverage
 - During the annual open enrollment period
 - At any time if you are eligible for MA or MinnesotaCare
 - When COBRA coverage is exhausted



SEPs: A few things to remember

- For purposes of financial assistance, an employee will be considered as having MEC if he or she failed to enroll at the time of the employer's special or open enrollment period, if it is determined that the ESI meets the minimum value and affordability requirements.
- An employee who was enrolled in ESI, but chooses not to renew during an employer's open enrollment period is eligible for a SEP, but is not eligible for APTC if the ESI that was offered meets the minimum value and affordability requirements.



Employer notices: APTC

- Large employers (generally those with 50 or more full-time employees) are subject to the ACA's Employer Shared Responsibility provision:
 - An employer may be subject to a penalty if they fail to offer coverage that meets minimum value or affordability standards to full-time employees.
 - The IRS, not MNsure, determines if the employer is subject to a penalty.
- MNsure is required to notify employers when a consumer enrolls, is determined eligible for APTC or CSR and states that their employer either
 - does not offer health care coverage
 - or the coverage does not meet minimum value or was unaffordable.



Employer notices: APTC

MNsure Operations PO Box 64253 St. Paul, MN 55164-0253



Apr 4, 2017 10:25 AM

BUILDERS AND CONSTRUCTORS 81 7TH ST ST PAUL MN 55101

Employer Notice

The person listed below submitted an application for health coverage through MNsure and reported that he or she is employed by **Builders and Constructors**, and that he or she either:

- Did not have an offer of health care coverage from their employer; or
- Did have an offer of health care coverage, but it did not provide minimum value or was unaffordable.

MNsure has determined the employee is eligible for an advanced premium tax credit (APTC) or cost-sharing reductions (CSR) to help pay for coverage in a qualified health plan (private insurance).

Employee Name	Date of Birth	APTC/CSR Start Date
John Assisted	09/25/1960	05/01/2017

For more information see the <u>Employer Shared Responsibility</u> <u>Notice</u> section on the MNsure website.

- Employers have a right to appeal the determination that the employer does not provide minimum essential coverage or that it is not affordable for the employee.
- Employees will be invited to participate in the employer's appeal.
- The result of the appeal could cause MNsure to re-determine a household's eligibility for APTC.



Reporting concerns

- We have learned of cases where consumers did not accurately report their eligibility for employer-sponsored insurance, either through their own employment or the employment of a member of their household.
- Knowingly failing to report access to ESI on an application is a violation of your responsibilities as a certified assister and can result in serious consequences for both the consumer and the assister.
- Ultimately, the consumer is responsible for providing accurate information on the application. However, there may be circumstances where you have concerns about what the consumer is reporting. You can report those concerns in two ways – by calling the anonymous complaints telephone line, or by sending an email to the MNsure Compliance hotline.



Reporting concerns (continued)

- We have had assisters ask whether they could refuse to serve a consumer whom the assister thought was committing fraud.
- The assister is not a fact finder or determiner of fraud. That is a role for MNsure or DHS (depending on the eligibility determination). Filing the report documents the assister's concerns and alerts MNsure and or DHS
- For example, if the consumer initially states they have access to has ESI, and then when filling out the application states that they do not have ESI.
- In cases like these, the assister should complete the consumer's application and immediately file a complaint using the resources on the next slide.

Reporting concerns (cont.)

- Assisters should report concerns to MNsure. Reporting can be anonymous.
 - Call the MNsure anonymous complaints telephone line at 1-844-466-7873; or
 - Send an email to the MNsure Compliance hotline at mnsurecompliancehotline@mnsure.org. The email is monitored by the MNsure compliance department.
- MNsure reviews all complaints and takes appropriate action. If you have any questions about this reporting process, please contact the MNsure compliance department in the manner described above.
- Policy on Reporting Fraud & Complaints for Assisters



Information to include in your complaint/report

About you (optional):

- Name
- Mailing Address
- Day and evening telephone numbers (tell us the preferred time to call)
- Email address

About the situation:

- Explain what you think was inappropriate.
- Who was involved? Include names and positions, if you have them.
- When (roughly) did the improper action(s) take place?
- What law, rule, policy, or other standard do you think was violated?What witnesses, documents, or other evidence do you have to support this claim? Please attach copies to your email.
- Have you filed this allegation with another government office? If so, please tell us what actions that office took, if any.



Resources

- Health Coverage from Jobs: Appendix A: <u>https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6696D-ENG</u>
- Insurance Affordability Programs Manual (IAPM): <u>http://hcopub.dhs.state.mn.us/iapmstd/</u>
- MNsure special enrollment period resource page: <u>https://www.mnsure.org/new-customers/enrollment-deadlines/special-enrollment/sep-apply/index.jsp</u>
- ACA tax provisions for employers (IRS website): <u>https://www.irs.gov/Affordable-Care-Act/Employers</u>
- Employer Shared Responsibility provision (IRS website): <u>https://www.irs.gov/Affordable-Care-Act/Employers/Employer-Shared-Responsibility-Provisions</u>
- Employer Shared Responsibility Notice (MNsure website): https://www.mnsure.org/help/appeals/appeals-faq.jsp
- MNsure Policy on Assisters' Role in Reporting Fraud & Complaints: https://www.mnsure.org/assister-central/policies/fraud-complaints.jsp
- Individual Shared Responsibility Provision Minimum Essential Coverage (IRS website): <u>https://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/ACA-Individual-Shared-Responsibility-Provision-Minimum-Essential-Coverage</u>

