

Urgent - Employer CHIP Notice Requirement

The Children's Health Insurance Program Reauthorization Act (CHIPRA) allows states to offer premium assistance towards employer-sponsored health plans for certain low-income children (and, in some cases, their parents). Under federal legislation signed in February 2009, employers who sponsor group health plans must provide an annual notice of CHIPRA rights to individuals eligible for the health plan coverage who reside in certain states. The DOL has published a model notice for employers to use if it offers medical coverage in a state that provides premium assistance towards the purchase of employer coverage under the state's Medicaid or CHIP plan.

Locally, Virginia, West Virginia, and Pennsylvania have Medicaid or CHIP plans that offer premium assistance towards employer coverage. The District of Columbia and Maryland do not offer premium assistance at this time. However, **if your employees (or their families) reside in any state that qualifies***, you have notice requirements, as provided by this example in the model notice publication:

An employer in the District of Columbia sponsors a group health plan that provides medical care to plan participants residing in the District of Columbia, Virginia, Maryland, West Virginia, Delaware, and Pennsylvania. In this example, the plan is considered maintained in all six States. Because at least one of these States offers a premium assistance program, the employer is subject to the Employer CHIP Notice requirement. In this example, employees residing in Virginia, West Virginia and Pennsylvania are entitled to receive the notice because those three states offer premium assistance programs.

Only employees who reside in a participating state must receive the annual notice, although the employer may send the notice to all employees for administrative ease. You should include this notice with your annual open enrollment materials and enrollment packets. For plan years beginning February 4, 2010 through May 1, 2010, the notice must be delivered no later than May 1, 2010. For plan years beginning after May 1, 2010, the notice must be delivered by the first day of the plan year (January 1, 2011 for calendar year plans).

The model CHIP notice is attached ([click here](#)) and can be used for residents of any state, or customized if you desire for a certain state. Please visit the DOL's website for additional information and the model notice (www.dol.gov/ebsa/) or contact your Keller consultant for assistance. We will continue to keep you informed of any changes to the model notice or your responsibilities.

* As of January 22, 2010, the following states have notified the DOL that they offer one or more programs that meet the standard for the CHIP notice: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

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