



Compliance Corner

December 12, 2017

May you have happiness, abundance and success in the year ahead.
Have a wonderful 2018!

Compliance Corner will return Jan. 9, 2018.

Health Care Reform

CMS Provides Guidance for Employers with Religious or Moral Objections to Contraceptive Coverage

On Nov. 30, 2017, CMS issued a memorandum related to coverage for women's contraceptive services. As background, PPACA requires all non-grandfathered group health plans to provide coverage for certain preventive care services with no cost-sharing. Those services include all FDA-approved contraceptive methods, sterilization procedures, and patient education and counseling for women with reproductive capacity as prescribed by a health care provider. There had previously been an exemption in place for plans sponsored by religious employers, such as churches and synagogues. There was also an accommodation process in place for religiously affiliated nonprofit organizations that didn't qualify for the exemption and also for closely held, for-profit entities with religious objections. Under the accommodation process, the plan would still provide contraceptive coverage to participants, but the services would be provided directly by the insurer without involvement or payment by the employer plan sponsor.

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Retirement Updates

Announcements

Employer Mandate Letter Webinar – Recording Now Available

The recording of NFP's Benefits Compliance Dec. 6, 2017, webinar on the IRS's recent actions to enforce the ACA's employer mandate is now available in the [NFP Client Learning Portal](#). Those listening to a recorded webinar aren't eligible for recertification credit.

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Next Edition of Compliance Corner Cancelled

The next edition of *Compliance Corner* is regularly scheduled to be released on Tuesday, Dec. 26, 2017. That edition will be cancelled because of the holidays, and the next edition will be released on Tuesday, Jan. 9, 2018.

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IRS Releases 2017 Required Amendments List for Qualified Retirement Plans

On Dec. 5, 2017, the IRS issued Notice 2017-72, which is the 2017 Required Amendments List (RA List) for qualified retirement plans. The yearly RA Lists provide changes in the qualification requirements that could result in disqualifying provisions and require a remedial amendment. A disqualifying provision is a required provision that isn't listed in the plan document, a provision in the document that doesn't comply with the qualification requirements or a provision that the IRS defines as such.

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IRS Updates Form 8950, Application for VCP Submissions

On Nov. 29, 2017, the IRS released a revised Form 8950, which facilitates filings under the Voluntary Correction Program (VCP). As background, employers are able to use the Employee Plans Compliance Resolution System (EPCRS) to fix certain plan failures by filing a VCP application. Form 8950 has been updated to recognize the changes made to the EPCRS in Revenue Procedure 2016-51.


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IRS Revises Form 5300

On Nov. 29, 2017, the IRS released a revised Form 5300, which employers use to apply for a determination letter for qualified plans. The updated Form has been reduced by seven pages and reflects the changes imposed by Rev. Proc. 2016-37. Specifically, the updated Form includes revisions generally limiting determination letter requests to initial and terminating plan qualifications and eliminating the five-year remedial amendment cycles.

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State and Territory Updates

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FAQ

Would the loss of a COBRA subsidy be a qualifying event to change plan elections?

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Reference

Commonly Used Acronyms

[Glossary »](#)