



# BENEFITS COMPLIANCE

## NEWS TO KNOW.



## Compliance Reminders

- ✓ **December 29** – Last day for employers to distribute MRL rebate (if applicable)
- ✓ **December 31** – Gag Clause Attestation due [via CMS](#)
- ✓ **2024 Reproductive Privacy Rule Updates by 12/31/24:**
  - Train workforce
  - Update HIPAA Policies
  - Update Breach Templates
  - Update BAAs

## Federal Minimum Salary Rule Tossed

### MINIMUM ANNUAL EXEMPT RETURNS TO \$35,568

“On November 15, 2024, a federal court in Texas ruled that the Department of Labor had overstepped its authority with the most recent rule increasing the minimum salary for exempt employees. **The July 1 increases are void, the additional increase that would have taken effect on January 1, 2025, won’t happen, and the automatic increases that were scheduled to occur every three years are no more.**”

“Minimums have reverted to what they were prior to July 1, 2024. This means that most executive, administrative, and professional employees need to be paid at least \$684 per week (\$35,568 annually), and not the \$844 required by the now-defunct 2024 rule. Employees classified under the highly compensated employee exemption need to be paid at least \$107,432 per year, as opposed to \$132,964. Employers can roll back changes they made to comply with the rule in July & halt any plans.”

Employers “can’t *retroactively* reduce pay or change an employee’s classification. Employees should be made aware of any changes to their pay or classification before the changes take effect, and in compliance with any applicable state or local laws, which may have specific notice requirements.” *Source: © 2024, Mineral, Inc.*

## The Rundown

- ✓ Resource: [2024 Form 5500 Forms Series Released](#)
- ✓ Resource: [2024 Instructions for Forms 1094-C and 1095-C](#)
  - [B Form Instructions](#) & [1094-B](#) & [1094-C](#)
  - [C Form Instructions](#) & [1095-B](#) & [1095-C](#)
- ✓ [Federal Register :: Extension of Certain Timeframes for Employee Benefit Plans, Participants, Beneficiaries, Qualified Beneficiaries, and Claimants Affected by Hurricane Helene, Tropical Storm Helene, or Hurricane Milton](#)
- ✓ IRS: [IRS Expands Preventive Care Benefits for HDHPs](#)
- ✓ IRS: [IRS releases tax inflation adjustments for tax year 2025](#)
- ✓ HHS: Updated [Security Risk Assessment Tool | HealthIT.gov](#)
- ✓ CMS: [FAQS IMPLEMENTATION PART 68](#) – Women’s Health & Cancer Rights Act
- ✓ CMS: [2025 Medicare Parts A & B Premiums and Deductibles | CMS](#)
- ✓ CMS: [October 2024 OCR Cybersecurity Newsletter | HHS.gov](#)

*Educating workforce members on cybersecurity attacks is essential when it comes to an individual's ability to identify and potentially halt social engineering attacks before they start. Such knowledge is powerful not only to protect individuals in their personal online activities, but also by extension an individual's employer. This is especially important in the current environment where work is taken home on laptops, smart phones, and through remote work.*

- ✓ FAQs: [Affordable Care Act \(ACA\) Reporting Made Easy - FAQs](#)
- ✓ [Blog: IRS announces 2025 retirement and benefit plan limits, SSA announces COLA adjustment](#)
- ✓ Blog: [Practical Pointers for Compliance With New MHPAEA Regulations](#)
- ✓ Blog: [3 Things To Know About Proposed OTC Contraception Laws](#)

## Question of the Month:

*A participant in our small health plan has requested copies of various plan-related documents. We understand that ERISA requires certain materials to be provided to participants upon request, but we also know that ERISA exempts small plans from some requirements. Is this one of them?*

**Answer:** “Unlike some other ERISA rules, ERISA’s document request and examination rules do not provide any exemption for small plans. ERISA plan participants and beneficiaries have the right to obtain copies of certain plan-related documents upon written request. They also have the right to examine those documents in person at specified locations. While health and welfare plans classified as small (those with fewer than 100 participants at the beginning of the plan year) that are unfunded, fully insured, or a combination of both are exempt from filing Form 5500, there is no small plan exemption from ERISA’s disclosure requirements, including the requirements to provide a summary plan description (SPD) and furnish documents to participants and beneficiaries upon written request.”

“Documents subject to this requirement include the most recent SPD (along with any subsequent summaries of material modifications), the latest Form 5500 (and any final Form 5500 for a terminated plan), and any applicable collective bargaining agreement, trust agreement, contract, or “other instruments under which the plan is established or operated.” If your plan falls within the Form 5500 filing exemption for small plans, obviously there is no Form 5500 to provide, even if a participant requests one. But all materials requested that are applicable must be provided. It is important to respond promptly, as a penalty of up to \$110 per day can be imposed for failure to furnish documents within 30 days after the request.”

Source: Contributing Editors: EBIA Staff.

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## Happy Holidays!

