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What Employers Need to Know Right Now About Health Care Reform

DOL Announces Non-Enforcement of Marketplace/Exchange Notice

PPACA requires employers covered by the Fair Labor Standards Act to provide a notice about the upcoming health marketplaces (also called exchanges) to their employees. The notice is due Oct. 1, 2013. On Sept. 11, 2013 the Department of Labor (DOL) announced that it will not penalize employers that do not provide this notice. As a practical matter, this means that providing the notice is now optional.

Employers that have already provided the notice do not need to do anything - it is fine to provide the notice. The change simply is that the DOL will not penalize employers that fail to provide the notice.

Employers that have not yet provided the notice may either distribute the notice or not, as they prefer. Employers that want to increase awareness of the marketplace (perhaps because they expect that some of their employees will need or want to purchase from the marketplace) may still want to provide the notice. Employers with complicated distribution situations, or that are concerned that the notices may generate questions the employer is not staffed to answer, may prefer to not distribute the notice.

The FAQ may be accessed at this link:

[Frequently Asked Question - Notice of Coverage Options](#)

Our access to PPACA Advisor resources can help you clear up PPACA questions and better craft your company's benefit strategy for the future.



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