



September 9, 2013

**NOTICE REGARDING OCTOBER 1, 2013 DEADLINE FOR ENROLLMENT
NOTIFICATION UNDER THE FEDERAL AFFORDABLE CARE ACT**

Dear Parr Brown Client:

As you may be aware, under the Patient Protection and Affordable Care Act (“ACA”), all employers covered by the Fair Labor Standards Act must provide written notice to their current employees by October 1, 2013, notifying them about certain information pertaining to the new Health Insurance Marketplace (“Marketplace”). This notification requirement applies to employers of all sizes, including those who employ fewer than 50 employees. Covered employers must provide this notice to each employee regardless of the employee’s plan enrollment status or the employee’s part-time or full-time status. Even employers who offer no health plan are required to provide this notice to their employees.

For employees who begin their employment on or after October 1, 2013, employers must provide the required notice on the employee’s date of hire. In 2014, employers are provided a 14-day grace period following the date of hire; in 2015, however, the notification deadline reverts back to the date of hire. For best practices, we recommend including the ACA notification in your new-hire packet beginning October 1, 2013.

Model notice forms (both for employers who offer health plans and those that do not) are available on the Department of Labor’s website at <http://www.dol.gov/ebsa/healthreform/>. Covered employers who fail to provide the required notice may be subject to a \$100 per day penalty under the ACA.

As a courtesy, we wanted to ensure that you were apprised of this upcoming deadline and the potential penalties for failing to comply. If you are an employer who offers a health plan and has questions about completing the required notice form, you should contact your health insurer or broker. Additional helpful information about the ACA is available on the Department of Labor’s website. If you have additional questions about the ACA, please contact your Parr Brown attorney.