

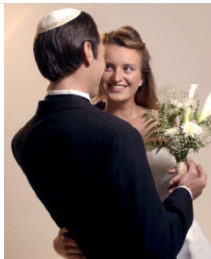
Special Enrollments



Under The Health Insurance Portability and Accountability Act of 1996

**An employee is eligible for Group Health Benefits.
They may enroll in the plan or reject coverage.
*What happens when???***

Employee is **INSURED**



Employee gets married.
At time of marriage, spouse has other coverage.
After 6 months of marriage, spouse loses their other coverage.

What happens if the employee did not provide a written statement that the spouse had other coverage at the time of marriage?



Employee's new spouse has a child from a previous marriage. At the time of marriage, this child is covered under the ex-spouse's group health plan.

What happens when the ex-spouse loses their job and the child loses coverage?



Employee does not know about their rights under HIPAA regarding 30 day notice of a special enrollment event.

Can a plan enforce the rule?

Employee **REJECTS**



Employee rejects coverage under their employer's group health plan because they have other Health Insurance coverage.

What are the potential consequences if they fail to inform their employer of this other coverage at the time of initial enrollment?



Employee allows their other coverage to lapse due to nonpayment of premium.

What rights does the employee have?



Employee requests Special Enrollment. Upon completion of election form, employer learns that it has been 40 days since the qualifying event.

Should the employer "be nice" by allowing the employee to enroll in the plan even though they have missed the 30 day time frame specified by HIPAA?

What Do the Portability and Availability Provisions of HIPAA Do????

- *Limit exclusions for preexisting conditions.*
- *Prohibit discrimination against employees and dependents based upon their health status.*
- *Guarantee renewability and availability of health coverage to certain employers and individuals.*
- *Provide for Special Enrollment Periods.*
- *Protect many workers who may lose health coverage by providing better access to individual health insurance.*

We offer to help **YOU** to be **HIPAA** - informed by:

- #1 **Interviewing** your administrative employees to determine current HIPAA practices and level of compliance.
- #2 **Educating and training** administrative employees, if necessary, in the various areas of HIPAA compliance.
- #3 Supplying you with a **HIPAA Administration Kit** which includes:
 - a. Initial HIPAA Notification forms
 - b. Declining Enrollment forms
 - c. Special Enrollment Election forms
 - d. Certificate of Creditable Coverage
- #4 Keeping you **up-to-date** when rules and regulations change.

How is HIPAA Enforced?

The Department of Labor enforces the health insurance portability requirements on group health plans under ERISA, including self-insured arrangements.

Participants and Beneficiaries may file suit to enforce their rights under ERISA, as amended by HIPAA.

The Treasury Department enforces the health portability requirements of group health plans including self-insured arrangements.

States have the primary enforcement responsibility for the requirements imposed on health insurance issuers, including sanctions available under State law.

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