

# AFFORDABLE CARE ACT – “I’M NOT DEAD YET!”

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## Practices & Industries

Employee Benefits

The Patient Protection and Affordable Care Act (ACA) remains in place despite numerous recent attempts to repeal and/or replace it. Employers qualifying as “Applicable Large Employers” under the Shared Responsibility provisions of the law continue to be responsible for offering affordable coverage to their full-time employees (or face potential penalties) and for complying with the annual ACA reporting obligations. Responding to recent inquiries, the IRS Office of Chief Counsel issued two letters reaffirming its commitment to enforcing these rules. Referring to President Trump’s Executive Order directing federal agencies to reduce potential burdens imposed by the ACA, the IRS letters note that “the Executive Order does not change the law; the legislative provisions of the ACA are still in force until changed by the Congress, and taxpayers remain required to follow the law and pay what they may owe.” Also, employers preparing for open enrollment season will continue to be responsible for the distribution of Summary of Benefits and Coverage (SBCs) for their medical benefits. For 2017, the Department of Labor has updated the SBC model to include a statement indicating whether the plan provides minimum essential coverage and meets the minimum value standard. The new SBC template also contains additional information on cost sharing and a new coverage example for a simple fracture. A copy of the new model SBC notice can be found [here](#).