

Health care information for employers

Health Benefits Exchange notice requirements

On Oct. 1, 2013, employers will be required to furnish all current employees and newly hired employees at the time of hire for the duration of 2013 a notice to satisfy Health Benefits Exchange notice requirements under the Affordable Care Act. As of Jan. 1, 2014, new employees must be furnished with the notice within two weeks of beginning employment.

The notice must:

- Include information regarding the existence of an exchange, as well as contact information and a description of the services provided by an exchange;
- Inform the employee that the employee may be eligible for a premium tax credit if the employee purchases a qualified health plan through the exchange;
- Contain a statement informing the employee that, if the employee purchases a qualified health plan through the exchange, the employee may lose the employer contribution (if any) to any health benefit plans offered by the employer, and that all or a portion of such contribution may be excludable from income for federal income tax purposes.

The U.S. Department of Labor has [provided guidance](#) and model notices for your use:

- Employers may use this [notice](#) if they do not offer a health plan (also available in [Spanish](#));
- Employers may use this [notice](#) if they offer a health plan to some or all of their employees (also available in [Spanish](#)).

The Labor Department has also provided a [Frequently Asked Questions](#) page regarding the notice requirement, indicating there will be no penalty for failure to provide the notices.

The Farm Employers Labor Service, a California Farm Bureau affiliate, offers additional resources to understand and comply with this mandate [at this link](#).

Who is impacted by Health Care Reform?

- The Affordable Care Act requires certain employers who employ an average of **50 or more full-time** and "full-time equivalent" (includes some part-time) employees per month in the *prior* year to provide health care insurance coverage for their full-time employees, or pay a penalty, in 2014.
- It does not apply to:
 - Those that do not employ any full-time (30-hours per week) year-round workers.
 - Those that do not have 50 or more employees in any month during the year.

- Those that have more than 50 employees a month, but only for 4 months (120 days) or less out of the year and employees number 50 and above perform seasonal work.

Additional information

- American Farm Bureau Federation: [Overview of the Affordable Care Act and its Impact on Agricultural Employers](#) (PDF)
- [Patient Protection and Affordable Care Act \(PPACA\)](#)
- Farm Employers Labor Service: [PPACA Q&A](#)
- [California Health Benefit Exchange](#)
- National Council of Agricultural Employers: [Health care links](#)