

# ERISA Checklist for Health and Welfare Plans

Checkup Items	Yes	No	Unknown
1. Do you have written Plan Documents for every employee benefit plan subject to ERISA?			
2. Do you have a Summary Plan Description (SPD) for all your Health and Welfare plans?			
3. Are SPDs updated every 5 years if the plan is amended or every 10 if it isn't amended?			
4. Do you file your Form 5500 annually, if required (and M-1 if part of a multi-employer plan)?			
5. Do you distribute a Summary Annual Report, if required?			
6. If any modifications have been made to a plan, have you issued a Summary of Material Modifications or Reductions?			
7. If your plan is self-funded, have you completed IRS Non-Discrimination Testing under IRC § 105(h)?			
8. Do you provide annual notices on <ul style="list-style-type: none"><li>• Women's Health and Cancer Rights</li><li>• Newborns' and Mothers' Health Protection Act Notice</li><li>• CHIPRA</li></ul>			
9. If the plan has over 100 participants and is funded by a trust, is it being audited annually?			
10. If the plan has employee contributions placed in a trust, does the employer have a fidelity bond in place?			
11. Is a Notice of Special Enrollment Rights provided to employees when they first become eligible for the plan and then annually thereafter at open enrollment?			
12. If the plan is considered a grandfathered under the ACA, has the grandfathered plan notice been distributed and included in all plan materials?			
13. Are Summaries of Benefits and Coverage distributed according the ACA's rules?			
14. If you are delivering documents electronically, are you getting consent from employees and other beneficiaries without "work-related computer access" as defined by ERISA?			
15. Do you retain all Health and Welfare Benefit Plan documents for at least 6 years?			

If you answered no to any of these questions, then you may be out of compliance with ERISA. Call us at **800.733.8839** or contact your account manager directly.