

COMPLIANCE

100% HIPAA, ERISA, ACA & IRS Compliant

Medical services are a key component

The plan is a Self-Insured Medical Expense Reimbursement Plan (SIMERP) and is always paired with an ACA-approved medical plan to make an integrated 105 plan.

Deduction of the plan is pre-tax eligible

The deduction of the plan cost from an employee's gross wages is addressed by IRC 106(a). The Office of Chief Counsel Internal Revenue Service Memorandum (Number: 201703013, Dated: 1/20/2017) states: "The value of coverage by an employer-provided wellness plan that provides medical care (as defined under IRC 213(d)) is generally excluded from an employee's gross income under IRC 106(a). The pre-taxing of this deduction, made possible under a Self-Insured Medical Reimbursement Plan and a Cafeteria Plan (125), creates the reduction of taxable income, generating savings for the employee and the employer."

Plan designed for compliance

The plan was purposely created, thoroughly researched, and found compliant with IRC 213(d), 106(a), 105(b), 1.105-11(i), and 104(a)(3) codes, and all applicable IRS memos, ERISA regulations, HIPAA, and the ADA.

Post-tax program reimbursements

Reimbursements or payments for medical care (as defined under IRC 213(d)) provided by the plan are excluded from the employee's gross income under IRC 105(b). Also, IRC 1.105-11(i) and IRC 104(a)(3). Reimbursement guidelines are spelled out in the SIMERP plan documents provided by EHP.



Reimbursement allowances

The allowable pre-tax and reimbursement amounts are determined based on the Health and Human Services report (July 2016), which outlines the national average monthly cost of benefits. These amounts are also aligned with the fair market value of benefits provided through the plan for preventative services that are IRC 213(d) compliant. All regulations and guidelines of the plans are applied in determining benefits and are paired with a Section 125 Cafeteria Plan. SIMERP must also be paired with medical insurance to form an integrated 105 plan.

Wellness

- » IRC 106(a) - ERISA
- » IRC 5125
- » IRC 213(d) - ADA
- » IRC 105.11
- » IRC 105(b) - HIPAA

Medical

- » IRC 213(d) - ACA

Pre-Tax

- » IRC 213(d)
- » IRC 125
- » IRC 106(a)

Post-Tax

- » IRC 213(d)
- » IRC 104(a)(3)
- » IRC 105(b)
- » IRC 1.105.11(k)(1)
- » IRC 1.105.11(i)
- » IRC 1.105.11(k)(2)