

**December 23, 2010**



Phone: 248.355.9600

[WWW.JSCLARKAGENCY.COM](http://WWW.JSCLARKAGENCY.COM)

---

## **PPACA NON-DISCRIMINATION LAW POSTPONED**

---

One of the components to health care reform that has been of great concern is the application of code section 105(h) on insured plans. Plans that had lost grandfathered status would have been subject to non-discrimination rules that self-insured or self-funded health plans were subjected to.

I say "would have been" because [Notice 2011-1](#) provides that application of Section 2716 of the Patient Protection and Affordable Care Act (PPACA) is delayed until AFTER "regulations or other administrative guidance of general applicability has been issued." Many plan sponsors had been struggling with how to redesign existing insured plans to comply with 105(h) without having any actual guidance as to how and what should be done.

This postponement means, if you have not changed your plan as of yet, there is no requirement that you do make changes. And if you have made changes, then you rest easy knowing that for now, your insured plan is OK.

Once the final regulations and guidance are finally issued, your Account Management team at J.S. Clark will work with you to make sure your plan design is PPACA compliant.

If you have any questions about the impact of PPACA on your benefit plans, please contact your J.S. Clark Agency Account Manager at **248.355.9600**.