



# Main Notices

## Core ICHRA/QSEHRA document compliance items

A print-friendly quick reference for the core notice documents commonly reviewed in ICHRA/QSEHRA compliance workstreams.



### 1. Plan Documents & ERISA Reporting



#### M-1 Summary Plan Description (SPD)

**Use:** Launch, new eligibility, or required ERISA distribution.  
**Review:** Confirm ERISA status and match the formal plan document.



#### M-2 Summary of Material Modification (SMM)

**Use:** After a material change to plan terms.  
**Review:** Confirm whether an SMM, plan amendment, or updated SPD is needed.



#### M-3 Summary Annual Report (SAR)

**Use:** After Form 5500 filing, if applicable.  
**Review:** Confirm whether Form 5500 and SAR rules apply.



#### M-5 Summary of Material Reduction

**Use:** When benefits or covered services are materially reduced.  
**Review:** Review timing carefully if eligibility, reimbursement rights, or plan value are reduced.



### 3. Marketplace, ICHRA, and Parity-Specific Disclosures



#### M-15 MHPAEA Medical Necessity Criteria Notice

**Use:** When a participant requests MH / SUD medical necessity criteria.  
**Review:** Often carrier-driven unless the HRA makes the determination.



#### M-16 MHPAEA Claims Denial Notice

**Use:** When a mental health or substance use disorder claim is denied.  
**Review:** Confirm who adjudicated the denial.



#### M-17 MHPAEA Increased Cost Exemption

**Use:** If the plan seeks the increased cost exemption.  
**Review:** Use only with counsel review and supporting documentation.



#### M-20 Employer Notice to Employees of Coverage Options

**Use:** At time of hire under Marketplace notice rules.  
**Review:** Keep employer contact and Marketplace information current.



#### M-21 Individual Coverage HRA (ICHRA) Notice

**Use:** Before each plan year and for newly eligible employees.  
**Review:** Include benefit amount, PTC interaction, substantiation, opt-out, and coverage requirement.



### 2. COBRA & Continuation Rights



#### M-6 COBRA General Notice

**Use:** When coverage first begins under a COBRA-covered group health plan.  
**Review:** Confirm COBRA applies to the employer and arrangement.



#### M-7 Notice of Unavailability of COBRA

**Use:** When COBRA is requested but unavailable.  
**Review:** Clearly explain why COBRA is not available.



#### M-8 Notice of Early Termination of COBRA Coverage

**Use:** When COBRA ends before the maximum period.  
**Review:** Confirm termination reason, date, and correction path.



### 4. Claims, Appeals, and External Review



#### M-4 Notification of Benefit Determination / Claims Notice

**Use:** When a reimbursement claim is approved, partially approved, denied, or requires explanation.  
**Review:** Align with the plan's formal claims and appeals procedures.



#### M-18 Internal Claims and Appeals and External Review Notices

**Use:** After an adverse benefit determination.  
**Review:** Match timing rules and participant appeal rights.



#### M-19 External Review Process Disclosure

**Use:** When external review rights apply or must be explained.  
**Review:** Confirm whether rights apply to the HRA, the individual policy, or both.



### 5. Enrollment, Family, and Coverage Rights



#### M-9 Medical Child Support Order (MCSO) Notice

**Use:** When a medical child support order is received.  
**Review:** Confirm whether the order is qualified and how enrollment will work.



#### M-10 Notice of Special Enrollment Rights

**Use:** At eligibility and when enrollment rights must be explained.  
**Review:** Coordinate with individual market SEP / QLE messaging.



#### M-11 Employer CHIPRA Notice

**Use:** Annually when employees live in CHIPRA premium assistance states.  
**Review:** Use the current state list and distribution rules.



#### M-12 Newborns' Act Description of Rights

**Use:** When maternity and newborn rights notice is applicable.  
**Review:** Confirm whether the notice is employer-side or carrier-driven.



#### M-13 Michelle's Law Enrollment Notice

**Use:** When student dependent leave protections apply.  
**Review:** Usually conditional. Confirm current relevance.



#### M-14 WHCRA Notice

**Use:** At enrollment and annually when applicable.  
**Review:** Confirm whether the carrier or employer owns the notice.



# Supplemental Notices

## Conditional Medicare, privacy, data, tax, QSEHRA, and state items

A print-friendly quick reference for supplemental and conditional notice documents commonly reviewed in ICHRA/QSEHRA compliance workstreams.



### 1. Medicare & Coordination



#### S-1 Medicare Part D Creditable Coverage Notice

**Use:** Before Part D open enrollment and other required times.  
**Review:** Determine whether drug coverage is creditable.



#### S-2 CMS Creditable Coverage Disclosure Checklist

**Use:** To document employer annual CMS disclosure.  
**Review:** Retain proof of disclosure.



#### S-3 MSP / Medicare Coordination Questionnaire

**Use:** When Medicare status affects coordination.  
**Review:** Avoid steering away from employer coverage.



#### S-4 Medicare Reimbursement and Non-Steering Notice

**Use:** When HRA may reimburse Medicare premiums.  
**Review:** Review MSP, age discrimination, anti-steering.



### 2. Privacy, PHI & Data Sharing



#### S-5 HIPAA Notice of Privacy Practices

**Use:** When HRA is HIPAA-covered group health plan.  
**Review:** Confirm PHI handling and firewall obligations.



#### S-6 HIPAA Authorization / Release

**Use:** When employee permits broker/vendor data discussion.  
**Review:** Specific, voluntary, and revocable.



#### S-7 Vendor PHI / BAA Intake Checklist

**Use:** Before sharing PHI with vendors.  
**Review:** Determine whether BAA is required.



#### S-14 GINA Safe Harbor Language

**Use:** When requesting medical/reimbursement documentation.  
**Review:** Avoid collection of genetic information.



### 3. Tax, Payroll & QSEHRA



#### S-8 SBC Availability / Individual Policy SBC Instructions

**Use:** During education, enrollment, or renewal.  
**Review:** Clarify carrier SBC versus employer HRA terms.



#### S-9 Section 125 Pre-Tax Premium Election Notice

**Use:** When off-exchange premium amounts may be paid pre-tax.  
**Review:** Confirm cafeteria plan rules and election timing.



#### S-10 QSEHRA Annual Notice

**Use:** Annually before the plan year for eligible employees.  
**Review:** Separate from ICHRA notice; include tax and MEC language.



#### S-11 QSEHRA New Hire / Newly Eligible Notice

**Use:** When eligibility begins after the annual notice cycle.  
**Review:** Confirm timing, benefit amount, and Marketplace reporting language.



#### S-12 QSEHRA MEC Attestation

**Use:** Before reimbursement and as needed during the year.  
**Review:** Keep evidence of minimum essential coverage.



#### S-13 QSEHRA Reimbursement Taxability Warning

**Use:** When explaining tax consequences if MEC is not maintained.  
**Review:** Do not give individualized tax advice.



### 4. State, Wellness & Transparency



#### S-15 Wellness Program Disclosure

**Use:** If wellness incentives or health-contingent standards apply.  
**Review:** Review ADA, GINA, HIPAA wellness, and reasonable alternative rules.



#### S-16 State Continuation / Mini-COBRA Notice

**Use:** When state continuation requirements may apply.  
**Review:** State-specific; do not rely only on federal COBRA templates.



#### S-17 State Exchange / Marketplace ICHRA Instructions Insert

**Use:** When employees enroll through a state-based Marketplace.  
**Review:** Must match the specific state Marketplace process.



#### S-18 No Surprises Act / Transparency Responsibility Confirmation

**Use:** When determining whether employer, carrier, TPA, or vendor owns NSA or transparency duties.  
**Review:** For individual policy reimbursement, many obligations may sit with the carrier.

# Official Sources & Reference Links

Primary regulatory and guidance sources referenced in this guide

DOL

## Department of Labor (DOL)

- D** [DOL Reporting and Disclosure Guide for Employee Benefit Plans](#) [Open official source >](#)
- S** [DOL Health Benefits Coverage Under Federal Law](#) [Open official source >](#)
- L** [DOL Individual Coverage HRA Model Notice](#) [Open official source >](#)
- D** [DOL Individual Coverage HRA Model Attestations](#) [Open official source >](#)
- S** [DOL Coverage Options Notice](#) [Open official source >](#)
- L** [DOL COBRA employer guide](#) [Open official source >](#)
- D** [DOL COBRA General Notice model](#) [Open official source >](#)
- S** [DOL CHIPRA model notice page](#) [Open official source >](#)
- L** [DOL Internal Claims and Appeals and External Review](#) [Open official source >](#)
- D** [DOL WHCRA resources](#) [Open official source >](#)
- S** [DOL Newborns Act resources](#) [Open official source >](#)
- L** [DOL SBC templates and instructions](#) [Open official source >](#)
- D** [DOL No Surprises Act resources](#) [Open official source >](#)

IRS

## Internal Revenue Service (IRS)

- D** [IRS Notice 2017-67, QSEHRA guidance](#) [Open official source >](#)
- S** [IRS ACA tax provisions for employers](#) [Open official source >](#)

HC

## HealthCare.gov

- D** [HealthCare.gov ICHRA employer guidance](#) [Open official source >](#)
- S** [HealthCare.gov QSEHRA employer guidance](#) [Open official source >](#)

CMS

## Centers for Medicare & Medicaid Services (CMS)

- D** [CMS Creditable Coverage model notices](#) [Open official source >](#)
- S** [CMS Creditable Coverage disclosure guidance](#) [Open official source >](#)
- L** [CMS Medicare Secondary Payer overview](#) [Open official source >](#)
- D** [CMS Mandatory Insurer Reporting for Group Health](#) [Open official source >](#)
- S** [CMS Transparency in Coverage overview](#) [Open official source >](#)

HHS

## Department of Health & Human Services (HHS)

- D** [HHS Model Notices of Privacy Practices](#) [Open official source >](#)
- S** [HHS HIPAA Business Associates guidance](#) [Open official source >](#)

LAW

## eCFR / Federal Regulatory Text

- D** [eCFR GINA acquisition of genetic information](#) [Open official source >](#)

**i** Use current official agency resources and confirm plan-specific applicability with qualified legal, tax, and compliance professionals.



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