

SPECIAL POINTS OF INTEREST

- **2009 HSA & HDHP LIMITS**
- **DOL RELEASES INTERACTIVE ELAWS ADVISOR**

2009 HSA & HDHP LIMITS

IRS RELEASES 2009 HSA CONTRIBUTION LIMITS AND HDHP MINIMUM DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS

Source: EBIA Weekly 5/15/08 www.ebia.com

[Rev. Proc. 2008-29 (May 13, 2008)] For a copy: <http://www.irs.gov/pub/irs-drop/rp-08-29.pdf>

The IRS has released the 2009 cost-of-living adjustments for HSA contribution limits and for HDHP deductibles and out-of-pocket maximums:

- **HSA Contribution Limits.** The 2009 annual HSA contribution limit for individuals with self-only HDHP coverage is \$3,000 (up \$100 from 2008) and for individuals with family HDHP coverage is \$5,950 (up \$150 from 2008).
- **HDHP Minimum Required Deductible.** The 2009 minimum annual deductible for self-only HDHP coverage is \$1,150 (up \$50 from 2008) and for family HDHP coverage is \$2,300 (up \$100 from 2008).
- **HDHP Out-of-Pocket Maximum.** The 2009 maximum limit on out-of-pocket expenses (including items such as deductibles, co-payments, and co-insurance, but not premiums) for self-only HDHP coverage is \$5,800 (up \$200 from 2008) and for family HDHP coverage is \$11,600 (up \$400 from 2008).

EBIA Comment: The inflation-adjusted figures announced in this revenue procedure are not

effective until 2009, but those working with HSAs and HDHPs will be glad to have these figures now as they plan both benefits design and employee communications for the coming year. One additional increase to be aware of for 2009 is the increase in the catch-up contributions that can be made by HSA-eligible individuals who are age 55 or older. By statute, the annual catch-up contribution limit is increased from \$900 (for 2008) to \$1,000 (for 2009 and thereafter).

DOL RELEASES INTERACTIVE ELAWS ADVISOR

DOL RELEASES INTERACTIVE ELAWS ADVISOR TO HELP EMPLOYERS COMPLY WITH RECORDKEEPING, REPORTING, AND NOTICE REQUIREMENTS

Source: EBIA Weekly 5/15/08 www.ebia.com

[FirstStep Employment Law Advisor (May 6, 2008)] Available at:

<http://www.dol.gov/elaws/firststep/>

For a copy of the news release:

<http://www.dol.gov/opa/media/press/opa/opa20080251.htm>

The DOL recently unveiled a new elaws Employment Law Advisor to help employers determine which federal employment laws apply to them, what recordkeeping and reporting requirements they must comply with, and what posters they need to post. The website guidance addresses issues related to ERISA, COBRA, HIPAA portability, the Newborns' and Mothers' Health Protection Act, the Women's Health and Cancer Rights Act, FMLA, and USERRA, among other laws.

The Employment Law Advisor consists of three separate advisors which, by asking a series of questions, simulate an interactive conversation with a DOL expert and guide users to customized information for each law. The Employment Law Overview Advisor provides a short primer on each law's basic provisions and any related record-keeping, reporting, and notice requirements. Through a series of questions about an employer's size of business, location, and type of industry, this advisor determines which federal employment laws apply to the employer. The Recordkeeping, Reporting, and Notices Advisor summarizes each law's recordkeeping, reporting, and notice requirements. The Poster Advisor provides access to short descriptions of DOL poster requirements and links to printable posters. It also provides information on where the posters must be displayed in the workplace, and applicable size and language requirements.

EBIA Comment: The new Employment Law Advisor is the latest DOL effort to address the difficulties that employers face in complying with federal laws and regulations, including those affecting group health plans. For example, employers who have not yet updated their FMLA posters to reflect the new insert for military family leave amendments that became effective January 28, 2008 can download the insert using the Poster Advisor. The Poster Advisor also contains links to 38 FAQs about poster requirements, including two FAQs on the FMLA. The DOL has provided related advisor tools in recent years on its website, such as the ERISA Fiduciary Advisor and the Health Benefits Advisor . Although these Advisors can be helpful, they are greatly simplified explanations of the law and should not be used as a substitute for detailed analysis and professional advice.