

ADMINISTRATIVE PROCEDURE

AFFORDABLE CARE ACT IMPLEMENTATION GUIDELINES

Number: HR-47	Name: Affordable Care Act Implementation Policy
Purpose: The primary purpose of the Administrative Procedure is to set forth the guidelines for implementing the Patient Protection and Affordable Care Act (ACA) requirements on campus.	
Responsible Unit: Human Resources	
Approved by: Director of Human Resource Services	Approval Date: 12 Nov 2014

SECTION 1. Definitions

- 1.1 Administrative period. A period of ninety (90) days beginning April 2 and ending June 30 used for making full-time determinations for ongoing employees and for offering/implementing full-time employee coverage for the following stability period. Also, a period of sixty (60) days immediately following the 12-month initial measurement period for newly-hired variable employees.
- 1.2 Dependent. For purposes of ACA coverage¹ is an individual who is the son, daughter, stepson or stepdaughter of the employee. The definition also includes both a legally adopted child of the employee and a child who is lawfully placed with the employee for legal adoption by the employee. It also includes an eligible foster child, defined as an individual who is placed with the employee by an authorized placement agency or by judgment, decree or other order of any court of competent jurisdiction.
- 1.3 Full-time employee. For purposes of ACA coverage is an employee who was employed on average at least 30 "hours of service" per week or 130 hours per month. (26 U.S.C. § 4980H(c)(4); 78 F.R. 217, 223.)
- 1.4 Health insurance plan eligibility. Under ACA, full-time employees who work an average of at least 30 hours per week are eligible for minimum essential coverage. If a new employee is reasonably expected to average at least 30 hours per week at the time of hire, the employee must automatically be treated as full-time and offered group health coverage within new hire enrollment period.
- 1.5 Initial measurement period. A 12 month period of time beginning on the earlier of the 16th or last day of the month following their initial hire date of used to determine whether a newly hired variable employee is full-time.
- 1.6 Minimum Essential Coverage. Basic health insurance coverage as defined in section 26 U. S. Code §5000A(f).

¹ For purposes of this policy these terms are defined as they relate to ACA. Nothing herein is intended to define other rights or benefits to which an employee may otherwise be entitled.

- 1.7 New Employee. An employee who has not been employed at least one standard measurement period.
- 1.8 Ongoing Employee. An employee who has been employed by an employer for at least one standard measurement period.
- 1.9 Patient Protection and Affordable Care Act (ACA). Federal statute signed into law by President Barack Obama on March 23, 2010. Together with the Health Care and Education Reconciliation Act, it represents the most significant government expansion and regulatory overhaul of the U.S. healthcare system since the passage of Medicare and Medicaid in 1965. Provisions take effect beginning in 2010 through 2020.
- 1.10 Stability period. An annual designated period of 12 months during which Marshall University will offer health coverage to all full-time employees. For ongoing employees, the stability period coincides with the fiscal year which serves as the University's health insurance plan year.
- 1.11 Standard measurement period. An annual designated period of 12 months used to determine whether an ongoing employee is full-time. The temporary standard measurement period will run from July 1, 2014 through April 1, 2015, thereafter the standard measurement period runs April 2 through April 1.

SECTION 2. Administrative Procedure

- 2.1 Beginning July 1, 2014 part-time, seasonal or variable hour employees will be required to track their hours to determine if they have worked an average of 30 or more hours during the applicable measurement period.
- 2.2 An employee who was employed on July 1, 2014, as a part-time, seasonal or variable hour employee and is found as of April 1, 2015 to have worked an average of 30 or more hours during the applicable measurement period will initially be offered minimum essential coverage for themselves and their dependents. Thereafter, they will be offered insurance based upon the applicable measurement period for ongoing employees.
- 2.3 Employees hired after July 1, 2014, as a part-time, seasonal or variable hour employee and are found to have worked an average of 30 or more hours during the applicable measurement period will be offered minimum essential coverage for themselves and their dependents.
- 2.4 All employees hired on or after July 1, 2015, and their dependents who are expected to work in excess of 30 hours per week, will be offered minimum essential coverage.
- 2.5 For those individuals who were employed on July 1, 2014, the first stability period is fiscal/plan year 2016 (July 1, 2015 - June 30, 2016) relative to the first measurement period of fiscal/plan year 2015 (July 1, 2014 – April 1, 2015) and the first administrative period of fiscal/plan year 2014 (April 2-June 30, 2014). Each stability period thereafter will reference the standard measurement period in the preceding fiscal year for ongoing employees.
- 2.6 For those individuals who were employed after July 1, 2014, the first measurement period will begin on the 15th or last day of the month following their initial hire date and will continue for twelve (12) months from that date. It will be followed by a thirty (30) day administrative and first stability period will begin upon the completion of the thirty (30) day administrative period. Each stability period thereafter will reference the standard measurement period in the preceding fiscal year for ongoing employees.
- 2.7 An employee, who is found to have worked 30 or more hours during the initial measurement period, but not as full-time during an overlapping or immediately following standard measurement period,

will continue to be treated as full-time until the end of the stability period associated with the initial measurement period.

- 2.8 Marshall University's Human Resource department will enforce compliance with this policy. This policy has been written in accordance with the definition of full-time status as defined by regulations of the Patient Protection and Affordable Care Act (PPACA) with guidance issued by the Internal Revenue Service (IRS).