

FAILURE TO:

Furnish **plan documents to the DOL** upon request

\$161 per day beginning on the 31st day after the request is made

Furnish an **SPD to a participant** upon request

\$110 per day beginning on the 31st day after the request is made

Provide **required COBRA notices**

\$110 per qualified beneficiary for each day of the noncompliance period

File a completed **ERISA Form 5500**

\$2,259 per day beginning on the last day for filing

Comply with **ACA**

\$100 per participant per day excise tax during the noncompliance period

Distribute a **Summary of Benefits and Coverage (SBC)**

\$1,190 per failure calculated on a per participant or beneficiary basis

File a **1094 or 1095 return**

up to \$280 per return/ statement

Provide notice and information regarding the **Children's Health Insurance Program (CHIPRA)**

\$120 per participant per day during the noncompliance period

Comply with **GINA**

\$120 per participant per day during the noncompliance period

**Fail To Comply?
The Fines Will
Be High!**

**Compliance
Dashboard®**

In most cases, the employer is both plan sponsor and plan administrator for a self-insured plan and is responsible for funding plan liabilities. Whether a statute imposes a liability on a plan, plan administrator, employer, or plan sponsor, it's generally the employer who ends up paying.

Note: Various maximums may apply. Regulators generally have discretion to assess penalties less than those listed above based on mitigating circumstances. The material presented above is for educational purposes only. It is not intended as legal advice. Legal counsel should be consulted for advice on specific legal questions.

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