

# COMPLIANCE OVERVIEW



## Early-year Compliance: Key Disclosure Deadlines for Group Health Plans

As the new calendar year begins, employers that sponsor group health plans should take steps to stay ahead of key compliance obligations. Several federal reporting and disclosure requirements, mandated under laws such as the Employee Retirement Income Security Act (ERISA), the Affordable Care Act (ACA) and the Health Insurance Portability and Accountability Act (HIPAA), must be addressed early in the year to help avoid potential penalties.

Requirement	Description	Deadline
Form W-2 Health Coverage Reporting	<p>Employers that filed <b>250 or more</b> IRS Forms W-2 for the prior calendar year must include the aggregate cost of employer-sponsored health plan coverage on employees' Forms W-2. This reporting is <b>optional</b> for employers that had to file fewer than 250 Forms W-2 for the prior calendar year.</p> <p>Employers must file Forms W-2 with the Social Security Administration and furnish Forms W-2 to employees by Jan. 31 of each year, unless an extension applies. Note that if this filing deadline falls on a weekend or holiday (as is the case for 2026), it is extended to the next business day.</p>	Feb. 2, 2026
Updated HIPAA Privacy Notice	<p>The HIPAA Privacy Rule requires covered entities (including group health plans and issuers) to provide a Notice of Privacy Practices (or Privacy Notice) to each individual who is the subject of protected health information. Self-insured health plans are required to maintain and provide their own Privacy Notices. However, special rules apply for fully insured plans, where the health insurance issuer (and not the health plan itself) is primarily responsible for the Privacy Notice.</p> <p>Pursuant to a final rule issued in April 2024, covered entities <b>must update their Privacy Notices if they receive or maintain patient records regarding substance use disorder (SUD) treatment provided by a federally assisted treatment program</b>. Employers that maintain Privacy Notices for their health plans should update them to reflect changes to SUD treatment records and, for self-insured health plans, distribute the updated Privacy Notices by the deadline.</p>	Feb. 16, 2026

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Requirement	Description	Deadline
CMS Medicare Part D Disclosure	<p>Employers with group health plans that <b>provide prescription drug coverage</b> must disclose to the Centers for Medicare and Medicaid Services (CMS), on an annual basis and at other select times, whether the plan's prescription drug coverage is creditable or non-creditable. Employers are required to use the online form on CMS' website to make this disclosure. The deadline for submitting this annual disclosure is <b>60 days after the beginning of the plan year</b> (i.e., March 1 for calendar year health plans in a non-leap year).</p>	March 1, 2026
Summary of Material Reduction in Covered Services or Benefits (if applicable)	<p>Under ERISA, a Summary of Material Modifications (SMM) must be provided whenever there is a material change to the plan terms or to information required to be in the Summary Plan Description (SPD). As a general rule, the SMM must be distributed within 210 days after the end of the plan year in which the change was adopted. However, <b>if the change is a material reduction in group health plan benefits or services, the deadline for providing the SMM is 60 days after the change is adopted</b> (i.e., for calendar year health plans with changes adopted at the start of the year, this means March 1). This deadline only applies to group health plans that are subject to ERISA.</p> <p>Employers should communicate changes as early as possible to help avoid benefit disputes and may include SMMs in open enrollment materials when changes take effect at the beginning of the plan year.</p>	March 1, 2026
ACA Reporting: Communicate Availability of Health Coverage Statements	<p>The ACA requires reporting entities to provide individuals with information about the health plan coverage they offer. IRS Forms 1095-B and 1095-C are used for this purpose. To meet this requirement, reporting entities must post a clear, conspicuous and accessible notice on their websites informing individuals that they may request a copy of Forms 1095-B or 1095-C. This notice must be posted within 30 days of Jan. 31 (or March 2 in a non-leap year) and remain posted through Oct. 15 of that year. Alternatively, instead of posting the notice online, a reporting entity may choose to provide Forms 1095-B or 1095-C directly to individuals by the same deadline.</p>	March 2, 2026

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Requirement	Description	Deadline
<b>ACA Reporting: Electronically File IRS Returns</b>	The ACA also requires reporting entities to report information about the health coverage they offer to the IRS each year. The electronic filing deadline is March 31, and most employers subject to ACA reporting must file their returns electronically. Only very small employers (i.e., those who file fewer than 10 information returns during the year) may file on paper, in which case the deadline is Feb. 28.	<b>March 31, 2026</b>

In addition to the deadlines above, the start of the plan year is a good time to confirm that all notices required to be provided at or before open enrollment have been distributed to employees.

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