



## ***14 Questions for Your In-House ACA Expert***

- 1) Have you designed one or multiple measurement periods, according to your company's needs that support the transitional measurement period in 2014 for 2015?
- 2) Are you able to track new hires for their initial measurement period and concurrently track them during their standard measuring period (if applicable) keeping in mind that the two periods might overlap?
- 3) Do you have 100% compliance support of any payroll frequency (weekly, biweekly, semi-monthly, monthly)? You will not have completely accurate determinations if you aren't able to track daily hours.
- 4) Are you prepared to take advantage of the special rules for staffing, taking into account breaks in service (13 weeks and the rule of parity)? You cannot take advantage of qualifying breaks in service, if you don't have actual start/end dates for the assignments. (I.e. there is a difference if the break is 90 or 91 days and its different if your employee worked for 35 days and had a break of 36 days or vice versa).
- 5) Will you be using real Start/Termination dates, not payroll assumptions? Weekly tracking provides accurate determinations. Monthly tracking requires daily tracking of hours worked, in order to be accurate. Most systems and particularly payroll systems do not provide daily hourly tracking capability. Monthly tracking will produce wrong eligibility counts during the standard and initial measure periods.
- 6) How will you keep track of status changes (part-time to full-time and vice versa)? If a full-time employee switches to a part-time job for three consecutive calendar months during the measurement period, you can change his/her classification (and potentially avoid paying for health benefits or the (b) penalty). If a part time employee switches to a full-time position, you must treat him/her as a full-time employee.
- 7) Will you be able to detect incorrect classifications by recruiters and handle special situations? For example, will you be able to quickly and efficiently note if:
  - a. An employee is classified as full-time, but working under 30 hours per week
  - b. An employee is classified as part-time, but working more than 30 hours per week.



- c. An employee with several/concurrent part-time assignments could total more than 30 hours per week and should be treated as a full-time employee.
- 8) Does your system provide email notifications and intelligent reporting for operational compliance?
  - 9) Will you have a (b) Penalty Audit Trail Log to track, verify, audit and provide accurate information for appealing IRS penalties?
  - 10) Are you able to import historical data for the purposes of running various scenarios to determine which may be the most advantageous ACA strategy (utilizing look back periods, MEC, or MV plans)?
  - 11) Do you need a system that provides stand alone platform functionality with client data imports, quick implementation, and can integrate with other platforms and provide total client control and customized solutions?
  - 12) Are you sure that you have the best ACA plan in place? For example, have you considered designing your measurement periods to match insurance's payment terms? If you have to pay for benefits by the middle of the previous month to provide coverage for the following month, you may wish to reduce your initial measurement period from 52 weeks to 48 weeks, in order to have a sufficient administrative period (The initial measurement period and the administrative period should not extend beyond the 13th month).
  - 13) Will your Onboarding process automate the distribution of the FLSA Marketplace Coverage Notice, Summary Plan Description, and Enrollment/Opt-Out documentation with federal regulation approved e-signature?
  - 14) Who will handle the Employer Subsidy Notices that will indicate which employees have been granted a subsidy on the Exchange? Will you be able to appeal subsidy notices and simultaneously avoid ACA related lawsuits?

Ensuring that your staffing firm can answer all 14 questions is vital to your business.

MaxServices Group assists staffing firms with ACA platform independent tools, health insurance plan implementation, and services to help you be compliant now and into the future. Contact us at 855-866-4629 or [info@maxservicesgroup.com](mailto:info@maxservicesgroup.com).

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