

ERISA WRAP & FORM 5500 FILING

Among the many compliance services we offer are the preparation of ERISA Wrap plan documents for employers with large and small groups to comply with ERISA relating to their welfare benefit plans, as well as Form 5500 Filing services for groups of at least 100 plan participants under a health and welfare benefit plan.

OUR COMPLIANCE EXPERTS
HELP KEEP YOUR HEALTH PLANS
FROM BREAKING THE LAW
AND YOUR COMPANY FROM
INCURRING STIFF PENALTIES.



ERISA WRAP SERVICES

ERISA is a federal law that regulates group-sponsored benefits, often called welfare benefit plans. Besides requiring the provision of specific plan features and funding information, the law mandates employers to comply with strict requirements for disclosing plan information to all eligible employees.

Any employer sponsoring health or welfare benefits must determine the best way to document benefits for legal compliance and to effectively communicate with employees. Employers sponsoring insured benefits must also worry about missing ERISA provisions in their insurance documentation. Sometimes using a “wrap document” to bundle benefits into one plan and/or supplement insurance documents is much easier for the employer.

Plan Document Compliance for Insured Plans

Special plan document considerations exist for insured plans. Insurers typically do not draft contracts with ERISA plan document requirements in mind because their principal focus is complying with applicable insurance laws. As a result, insurance policies often fail to include all of the provisions required for ERISA plan documents and don't always protect the plan sponsor and plan administrator. The best approach is to combine the insurance documents with a “wrap” document.

Plan Document Compliance for Other Third-Party Contracts

Similar plan document considerations exist where plan benefits are provided pursuant to a contract with a third party other than an insurer. For example, benefits under many employee assistance plans (EAPs) are provided through a contract with third-party service providers. The

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contract often is not designed to be the plan document for ERISA purposes and may lack many of the required elements and provisions intended to protect the plan sponsor and plan administrator. The wrap document supplements existing documentation to include required elements and other optional provisions that protect the plan.

Plan Document Compliance for “Bundled” Plans

Some plan sponsors may wish to combine two or more ERISA benefits into one plan for ERISA compliance purposes. The component plan benefits may be fully insured, self-insured, or a combination of both. The plan document for this kind of bundled plan consists of the insurance policies and self-insured plan descriptions combined to make a “mega-wrap” using a “mega” or “umbrella” document. A common use of a mega-wrap document is to collect all of the plan sponsor’s welfare benefits under a single plan so that only one Form 5500 needs to be filed.

Standard & Optional ERISA Services

Standard ERISA administration services include:

- Preparation of “mega wrap” or wrap document and Summary Plan Description (SPD).
- Form 5500 and associated schedule A, if applicable
- Preparation of summary of material modification with amendment when plan changes are made
- Summary annual report (SAR)
- Guidance on document retention
- Assistance with employee access and rights
- ERISA compliance requiring guidance and technical assistance
- Provide the following notices at the employer’s request: COBRA notice, certificate of creditable coverage, QMCSO procedures, WHCRA annual notice, and a CHIPRA annual notice.

Additional optional services are available,

including:

- Form 5500 late filing
- PPACA notices for non-grandfathered plans, including notice of adverse benefits determination and notice of final adverse benefits determination

FORM 5500 FILING SERVICES

Form 5500 Filing is required for health and welfare benefit plans with at least 100 participants. We make this process easy, accurate, and timely for you. Whether or not we administer your benefit plans, HRA or FSA, we can complete the Form 5500 Filing.

Our Form 5500 Filing services include:

- Completion of a needs assessment by reviewing Form 5500 Filing history and plan details. Then we gather the required data using a custom worksheet and employer provided information to prepare a signature-ready Form 5500 document for filing with the IRS.
- All documents, including Form 5500, are available for employer review on a secure, password-protected portal. Employers can choose to file electronically after they review the documents we prepare. Or, employers can print, sign and scan the signature page, return it to Sterling and we do the filing. If employers file directly, we’ll help with e-filing instructions.
- Timely filing requires that all information be provided to Sterling by the first of the month when the filing is due. For employers who need more time to work with us in gathering data, we’ll also prepare IRS Form 5558 to request a filing extension.



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- We can also work with employers to amend past incorrect or insufficient filings (DFVC) so Form 5500 filing records are current and compliant with the IRS.
- Sterling will maintain the data we gather and all filings to reference for Form 5500 Filing in future years and in the event of questions from the IRS or Department of Labor (DOL). We help with DOL communication and keep you updated on changes in regulations.
- We prepare and provide the Summary Annual Report (SAR) for distribution to your employees, if they request a copy. The SAR is a narrative summary of Form 5500 (it is not required for defined benefit pension plan years beginning after December 31, 2007).

Contact Us:

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