



# ERISA Health and Welfare Plan Compliance Checklist

## Summary Plan Description (SPD) Review

General Information and Plan Identifiers Typically <b>Not</b> Found in Insurance Carrier Booklets:	YES	NO	UNSURE
1. Name of the Plan, and the Plan's common name, if different.			
2. Name and address of the Plan Sponsor.			
3. Employer identification number (EIN).			
4. Plan Year.			
5. The Plan Number (e.g. for welfare benefits: 501, 502, etc.).			
6. Type of welfare plan (e.g. hospitalization, disability).			
7. How the Plan is administered (e.g. TPA, insurer administration).			
8. Name, business address and business telephone number of the Plan Administrator.			
9. The name of the person designated as Agent for Service of Legal Process, the address at which the process may be served on such a person and a statement that service of legal process may be made upon the Plan Administrator.			
10. The Plan's eligibility requirements for plan participation.			
11. A clear statement identifying circumstances that could result in disqualification, ineligibility, denial, loss, forfeiture, suspension, offset, reduction, or recovery of any benefit that a participant might otherwise expect the Plan to provide.			
12. COBRA statement of rights.			
13. FMLA procedures or where to get them.			
14. Source of contributions to the Plan (e.g. employer and employee contributions).			
15. Schedule of required participant contributions for premium payments.			
16. Plan's procedures governing qualified medical child support order (QMCSO) determinations or a statement indicating that participants and beneficiaries can obtain, without charge, a copy of those procedures from the plan administrator.			
17. It should also be noted in your SPD that after an adverse benefit determination, claimants must be given access to all documents, records and information relevant to their claims, free of charge upon request, regardless of whether such information was relied upon in making the adverse benefit determination.			
18. If your Plan is a collectively bargained Plan there should be a statement indicating the Plan is collectively bargained and that a copy of the agreement is available for examination and may be obtained by participants and beneficiaries upon written request to the plan administrator.			
19. The statement of ERISA rights.			
20. HIPAA special enrollment rights and HIPAA privacy procedures.			
21. Newborns' and Mothers' Health Protection Act disclosure			
22. Women's Health and Cancer Rights Act (WHCRA).			
23. Terms by which the Plan may be amended or terminated. Description of any rights that plan participants or beneficiaries may have in the event of Plan amendment or termination.			
24. The funding medium used for the accumulation of assets through which benefits are provided (e.g. general assets of the employer or a trust).			
25. CHIPRA special enrollment rights.			

Information Specific to Insured Benefits <b>Found</b> in Carrier Booklets:	YES	NO	UNSURE
1. For insured plans, the name and address of the health insurance issuer, and “the nature of any administrative services” (e.g. payment of claims) provided by the issuer.			
2. Description of the plan’s benefits, or, if the schedule of benefits is extensive, a summary of the benefits and a statement that more details are available, without charge, upon request.			
3. Anything relative to cost that should be borne by a participant or beneficiary (e.g. plan deductibles and co-payments).			
4. Procedures to be followed in presenting claims for benefits under the Plan and any plan procedures for pre-authorization, approval, or utilization review. Also, explanations of the remedies available for redress of claims that are denied in whole or in part along with a statement of the claimant’s right to pursue civil action under ERISA. The DOL will permit a separate document to be used to address information that is of critical importance to participants and beneficiaries. If you choose to provide a separate document you must state in the SPD that this information is being furnished automatically, without charge as a separate document.			