

CHIPRA Notice Compliance

The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) requires employers to give all employees a notice of health insurance premium assistance requirements that may be available in their state. This information is provided as a courtesy and should not be viewed as legal advice. If you have questions about your company's legal obligations, please consult with your legal counsel.

Under CHIPRA, employers who sponsor group health plans are required to provide an annual premium assistance notice to employees, regardless of enrollment status, who reside in states with a premium assistance program.

The attached notice is provided for our clients where all employees reside in New Mexico. If you have employees who reside in other states, please call EBSC for assistance. This notice must be distributed to all employees, not just those covered under your medical plan, by May 1, 2010.

- The employer must provide the premium assistance notice annually, on an automatic basis and free of charge.
- Employers must provide the premium assistance notice to each employee who resides in a state that offers premium assistance (regardless of whether the employee is enrolled in the employer's health plan).
- The premium assistance notice must be provided as a separate document and in a manner that ensures an employee could reasonably be expected to appreciate its significance. (A separate mailing to employees is not required.)
- Employers may combine the premium assistance notice along with other items, such as open enrollment materials or Summary Plan Descriptions (SPDs), as long as it is provided in a timely manner to all employees entitled to the notice.
- Employers should consider including the notice in enrollment materials for new hires.
- Employers that fail to issue the premium assistance notice consistent with the DOL guidance are subject to penalties of up to \$100 per day per employee.

If you have any questions, please call the Employee Benefit Service Center at 505 821-6477.

**Medicaid and the Children’s Health Insurance Program (CHIP)
Free Or Low-Cost Health Coverage To Children And Families in New Mexico**

If you are eligible for health coverage from your employer, but are unable to afford the premiums, New Mexico has a premium assistance programs that can help pay for coverage. Funds from Medicaid or CHIP programs are used to help people who are eligible for employer-sponsored health coverage, but need assistance in paying their health premiums.

If you or your dependents are already enrolled in Medicaid or CHIP, you can contact the Medicaid or CHIP office listed below to find out if premium assistance is available.

If you or your dependents are NOT currently enrolled in Medicaid or CHIP, and you think you or any of your dependents might be eligible for either of these programs, you can contact the Medicaid or CHIP office to find out how to apply. If you qualify, you can ask the State if it has a program that might help you pay the premiums for an employer-sponsored plan.

Once it is determined that you or your dependents are eligible for premium assistance under Medicaid or CHIP, your employer’s health plan is required to permit you and your dependents to enroll in the plan – as long as you and your dependents are eligible, but not already enrolled in the employer’s plan. This is called a “special enrollment” opportunity, and **you must request coverage within 60 days of being determined eligible for premium assistance.**

NEW MEXICO – Medicaid and CHIP
Medicaid Website: http://www.hsd.state.nm.us/mad/index.html
Medicaid Phone: 1-888-997-2583
CHIP Website: http://www.hsd.state.nm.us/mad/index.html Click on Insure New Mexico
CHIP Phone: 1-888-997-2583