



ERISA Form 5500 Filing Requirements: Small Plan Exemption

Group health plans sponsored by private sector employers are required by ERISA to file an annual report with the federal government. The report, called a Form 5500, is used to report basic plan information to the federal government. Group health plans must file a Form 5500 by the last day of the seventh month following the last day of the plan year. While this is generally a required filing, **an exemption is available for employer-sponsored, self-insured small group health plans that meet certain requirements.**

Is your plan eligible for the exemption?

Below are some considerations that should help you determine if your plan is eligible for the exemption.

- 1 Did you have fewer than 100 participants (e.g., employees) covered under the plan as of the beginning of the plan year? Yes or No
- 2 Did your employees elect to make their contributions to the plan per Internal Revenue Code Section 125 (i.e., sometimes called a “Section 125 ” or “cafeteria” plan)? Yes or No
- 3 If you collect funds from your employees under a Section 125 plan, are you reimbursing yourself for already paid invoices? Or are you using those funds toward your monthly invoice as soon as possible, and not more than 90 days from the time you collected them? Yes or No
- 4 Do you submit your monthly payment for your plan directly to All Savers/UnitedHealthcare? Yes or No

If you answered YES to ALL of the above questions, your plan may be eligible for the small plan exemption available under ERISA. However, eligibility for the exemption is based on your plan’s particular facts and circumstances. For this reason, if you have questions about Form 5500 filing requirements, **we recommend that you speak with your attorney, tax or benefits advisor.**

If you determine that your plan is required to file Form 5500, you may request the data you need from us about your plan by email at: uhoallsaversreporting@uhc.com. Please include your All Savers group number and the plan year you will be reporting, and we will mail you the information.

Note: This summary is provided for informational purposes only and does not constitute legal advice.