ART RISK
FINANCIAL & INSURANCE **SOLUTIONS**

WHAT DO YOU DO WHEN THE EMPLOYER DOES NOT SUPPLY THE EVIDENCE OF COVERAGE?

An SPD (Summary Plan Description) or EOC (Evidence of Coverage) is the official document that explains the health insurance benefits, exclusions, deductibles, coordination of benefits, and other plan provisions of a policy. it also provides the detailed information needed to accurately complete a Policy Validation and review the policy and determine if it is surrogacy friendly.

WHAT IS THE LAW?

A plan must give employees an Evidence of Coverage (EOC) within 90 days after they are covered by the plan and within 30 days of a request. Generally, the Evidence of Coverage also must be redistributed every 5th year. The EOC must be current within 120 days.

This information was taken from:

U.S. DEPARTMENT OF LABOR

UNDERSTANDING YOUR FIDUCIARY RESPONSIBILITIES UNDER A GROUP HEALTH PLAN

CLICK TO READ MORE

WHAT DO YOU DO IF YOU BELIEVE YOUR EMPLOYER IS IN BREACH OF THE LAW?

Request the Evidence of Coverage in writing from the Plan Administrator

- Ask your employer for the name of the Plan Administrator and their contact information, including email address

You can let your employer know that you understand the law and that if the Evidence of Coverage is not received within the legal timeframe, you will be requesting the information from the Department of Labor.

Request the Evidence of Coverage from the Employee Benefits Security Administration – Division of the Department of Labor

- While they do not have a copy of the EOC, they will connect with the employer to ensure a copy is sent to you.

HOW DO YOU REQUEST A COPY OF YOUR SPD FROM THE EMPLOYEE BENEFITS SECURITY ADMINISTRATION – DIVISION OF THE DEPARTMENT OF LABOR?

To submit a request for your plan documents: ASK A QUESTION (dol.gov)

The booklet is typically 60-100+ pages and is commonly referred to as an Evidence of Coverage (EOC) or Summary Plan Description (SPD).

STEP 1

You will fill out the first page "Your Information" and then click on "Provide Additional Information for the Benefits Advisor".

STEP 2

The next section "Your Request" is where you will check the following boxes:

1. Getting documents or statements from your plan
2. Plan is not complying with legal requirements (such as ERISA, COBRA, HIPAA, the Affordable Care Act)
3. You are a: Participant/Beneficiary (such as Employee/Dependent
    - Name:
    - If you are not the employee, please provide name of the employee
4. Click "Next Page"

STEP 3

1. You will then complete the "Employer/Plan Contact Information"
    - Type - Employer
    - Name - Company Name
    - Address - Company Address
    - Phone Number - Company Phone Number or direct line of person responsible for distribution of SPD (at your place of employment).
    - Email - The person responsible for distribution of SPD - HR or Plan Administrator
    - Website - Company Website
    - Contact Person
        - Contact First Name
        - Contact Middle Initial
        - Contact Last Name
    - If there is more than one contact, click "Add Another Plan Contact"
    - If not, click "Next Page"

STEP 4

1. The last section "Additional Information" is where you will choose whether or not you have any attachments – supporting documentation of issue. (You should, as you sent your request in writing to your Plan Administrator.)
    - Examples of Relevant Attachments
        - Responses received from your inquiries to the plan administrator
    - Click the radius button: Yes, I have attachments I would like to upload.
    - Click "Submit"

STEP 5

If you select yes, after submitting your inquiry, you will receive a confirmation. Click the Exit button to be directed to the attachment upload page.