

HR Knowledge MA HIRD FAQ's

Where do I find the health plan information necessary to complete the HIRD form?

Your human resources and/or benefits department should have access to all of the information necessary to complete the HIRD form.

If you are a HR Knowledge client, we can assist you with answering the key questions regarding your plan design. The data the State is seeking includes:

- Eligibility Hours
- New Hire Wait Period
- Are there different Employee Groups?
 - Are there different plan offerings to the Employee Groups?
- Do you employ Union members?
- OE Period Annually
- Current Plan Year
- Plan Name(s)
- Plan Group #s
- Do your benefits satisfy Minimum Credible Coverage?
- Do you give employees Wellness Credits to reduce their premium?
- Date the plan became effective
- Which levels of coverage do you offer? (Choices are: Individual, Individual +1, Individual + Children, Individual + Family)
- For each level of coverage provide the following:
 - Monthly Premium for each tier
 - Employee Monthly Contribution for each tier
 - In-Network Deductible for each tier
 - Out-of-Pocket Maximum for each tier

What is the HIRD form?

The Health Insurance Responsibility Disclosure (HIRD) form is a new state reporting requirement in Massachusetts in 2018. The HIRD form collects employer-level information about your employer-sponsored insurance (ESI) offerings. The HIRD reporting is administered by MassHealth and the Department of Revenue (DOR) through the MassTaxConnect (MTC) web portal. The HIRD form will assist MassHealth in identifying its members with access to qualifying ESI who may be eligible for the MassHealth Premium Assistance Program.

Who is required to complete the HIRD form?

State law, (See M.G.L. c. 118E, section 78) requires every employer in Massachusetts with six or more employees to annually submit a HIRD form. If you are an employer who currently has (or had) six or more employees in any month during the past 12 months preceding the due date of this form (November 30th of the reporting year), you are required to complete the HIRD form. An individual is considered to be your employee if you as the employer included such individual in your quarterly wage report to the Department of Unemployment Assistance (DUA) during the past 12 months. You are required to complete the HIRD form if you reported six or more employees (includes all employment categories) in any DUA wage report during the past 12 months.

What is the difference between this new HIRD reporting requirement and the old HIRD form?

This HIRD form is different from the old HIRD form that was passed into law in 2006, and later repealed in 2014. The old HIRD form consisted of an employer form and an employee form, which

required separate forms completed and signed by each employee who declined to enroll in ESI or the Employer's Section 125 Cafeteria Plan to pay for health insurance. In contrast, the new HIRD form only consists of a single employer form, which only needs to be completed once annually for your company. The new HIRD form does not contain any personal information about your employees. The new HIRD form will be used to inform MassHealth about employers' ESI offerings and allow more MassHealth members to enroll in Premium Assistance.

How do I submit the HIRD form?

The HIRD reporting is administered by the DOR through the MassTaxConnect (MTC) web portal. The MTC is where employer-taxpayers register to file returns, forms, and make tax payments. To file your HIRD form, login to your MTC withholding account and select the "File health insurance responsibility disclosure" hyperlink under the account alerts. If you do not have an MTC account, or if you forgot your password or username, you may follow the instructions provided on the MTC web page (<https://mtc.dor.state.ma.us/mtc/#1>) or contact the DOR at 617-466-3940.

When do I submit the HIRD form?

The HIRD reporting is required annually, beginning in filing year 2018. The HIRD reporting period will be available to be filed starting November 1 of the filing year, and must be completed by November 30 of the filing year. Thereafter, HIRD reporting will be due on November 30 of each subsequent year.

Could I be penalized based on the information I report in the HIRD form?

The HIRD form will not be used to impose any new fines or penalties related to employers' ESI offerings (or lack thereof). There are no fines or penalties related to your completed HIRD form.

How will the HIRD form information be used?

The HIRD form will assist MassHealth in identifying its members with access to qualifying ESI who may be eligible for the MassHealth Premium Assistance Program.

In most instances, the HIRD form will eliminate the need for employers to complete a separate Premium Assistance application for the employee. In other instances, MassHealth may request additional information from the employer in order to confirm an individual's eligibility for Premium Assistance.

Note that employees enrolled in ESI, including but not limited to those enrolled in MassHealth's Premium Assistance Program, are not included in the calculation of their employer's obligation under the Employer Medical Assistance Contribution (EMAC) Supplement (i.e., employees receiving MassHealth coverage as a secondary payer are not included in their employer's obligation under the EMAC Supplement) (see 430 CMR 21.03(2)). The HIRD form will not be used in connection with any determinations regarding employer's EMAC obligation. For more general information and Frequently Asked Questions about EMAC, please visit the EMAC website (<https://www.mass.gov/service-details/learn-about-the-employer-medical-assistance-contribution-emac-supplement>), or call the Department of Unemployment Assistance EMAC call center at (617) 626-5075.

What is MassHealth's Premium Assistance Program?

The MassHealth Premium Assistance program helps eligible working individuals and families pay for qualifying ESI coverage. Eligible MassHealth members with access to qualifying ESI are required to enroll in available ESI. Members who are determined eligible for Premium Assistance may enroll in ESI without regard to any enrollment periods or other restrictions that apply to late enrollees for any

group plan, as the MassHealth eligibility determination is considered a qualifying event.

For more information on the MassHealth Premium Assistance Program, please visit the MassHealth Premium Assistance web page <https://www.mass.gov/service-details/other-health-insurance-and-masshealth-premium-assistance>

Note that employees enrolled in ESI, including but not limited to those enrolled in MassHealth's Premium Assistance Program, are not included in the calculation of their employer's obligation under the Employer Medical Assistance Contribution (EMAC) Supplement (i.e., employees receiving MassHealth coverage as a secondary payer are not included in their employer's obligation under the EMAC Supplement) (see 430 CMR 21.03(2)). The HIRD form will not be used in connection with any determinations regarding employer's EMAC obligation.

For more general information and Frequently Asked Questions about EMAC, please visit the EMAC website (<https://www.mass.gov/service-details/learn-about-the-employer-medical-assistance-contribution-emas-supplement>) or call the Department of Unemployment Assistance EMAC call center at (617) 626-5075.

Is there any Personally Identifiable Information (PII) about my employees included in the HIRD form?

No. The HIRD form only collects employer-level information about your company's health plan offerings. It does not collect any personal information about employees.

My company does not offer health insurance. Do I need to complete the HIRD form?

Yes. Employers who do not offer health insurance are required to log into MTC and submit the HIRD form. Once you have entered your company contact information, the next question on the form will be "Does the employer offer Group Health Insurance?" You should answer "No" to this question and submit the HIRD form.