

# COMPLIANCE ALERT

## Massachusetts Health Insurance Reporting Form Must Be Filed by December 15

November 29, 2022

### Action Required:

- **Employers (both in- and out-of-state) with six or more employees working in MA, must prepare and file the HIRD Form by Dec. 15.**

Massachusetts (MA) requires certain employers to file the Health Insurance Responsibility Disclosure (“HIRD”) Form. The HIRD Form must be filed electronically by December 15 of each year, regardless of whether the employer offers health insurance to its employees or not.

Employers (both in and out-of-state) with six or more employees working in MA, are required to prepare and file the HIRD Form annually. The HIRD Form is administered by the Massachusetts Department of Revenue (DOR), which provides general information about the reporting requirements on its [website](#).

### Which Massachusetts Employers Must Comply with This Reporting Requirement?

State law requires every employer in MA with six or more employees to annually submit a HIRD Form, regardless of whether they offer health insurance coverage. Specifically, an individual is considered to be an “employee” for this purpose if the employer included such individual in its quarterly wage report to the Massachusetts Department of Unemployment Assistance (DUA) during the past 12 months. All employee categories must be included.

### What Information Is Required to be Disclosed on the HIRD Form?

The HIRD Form collects information about employer-sponsored health insurance plans in order to assist MassHealth (one of the two health insurance Exchanges in MA) in identifying members who can participate in such plans, and who may be eligible for premium assistance from MassHealth. Individualized employee information is not disclosed on the Form. Specifically, the HIRD Form collects the following health plan-related information:

- The plan’s eligibility requirements;
- The total monthly cost of employer and employee premiums;
- Whether the plan meets the Massachusetts Minimum Creditable Coverage requirements;
- The coverage tiers offered (e.g., single, employee plus one, and family);
- The in-network deductible; and
- The maximum in-network out-of-pocket expenses.

### How Is the HIRD Form Administered?

HIRD reporting is administered by MassHealth and the DOR through the MassTaxConnect (MTC) web portal. Employers can file the HIRD Form by logging into their [MTC withholding account](#) and selecting the hyperlink: “health insurance responsibility disclosure” under the “account alerts” heading. Only one Form is required per FEIN. Employers have between November 15 and December 15 each year to complete their filing. Employers may also elect to use a payroll company to file on their behalf on the MTC website; however, the employer is ultimately responsible. The HIRD Form is only available electronically. Paper copies of the Form will not be processed. It should also be noted that corrections can be made on the same MTC website.

### When Is the HIRD Form Due and What Are the Penalties for Noncompliance?

The HIRD Form must be completed annually by December 15 of each year. Employers offering multiple plan options must disclose each plan offered.

The HIRD Form is not used to penalize any employer, including ones not offering coverage. However, if an employer knowingly falsifies, or fails to file, any required HIRD information, it may be subject to a penalty of not less than \$1,000 or more than \$5,000 for each violation. ■

**If you have any additional questions,  
please call your Corporate Synergies  
Account Manager or 866.CSG.1719.**