

compliance ALERT

Massachusetts Health Insurance Reporting Form Must be Filed by December 15

December 7, 2021

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 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 ([here](#)). The Form is made available annually by November 15 and must be completed each year by December 15 of the reporting year. The requirement applies only to MA-based plans. Corrections can be made on the same website. Only one Form is required per FEIN.

What Information is Disclosed on the HIRD Form?

The HIRD Form collects employer-level 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.

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 on the HIRD Form?

The HIRD Form collects employer-level information about employer-sponsored insurance (ESI) and requires disclosure of the following information pertaining to the employer's health insurance plan:

- The plan's eligibility requirements;
- The total 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 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 "health insurance responsibility disclosure" under the "account alerts" heading. 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.

When is the HIRD Form Due and What are the Penalties for Noncompliance?

The HIRD Form must be completed annually by December 15 of the year for which it is being filed. 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.**