



## Applicable Employee Laws

### HI PAA Portability

If an employee and/or dependent had insurance coverage within thirty (30) days of becoming eligible for coverage under the Health Alliance for Technology (ALLtech), a program under the Associated Employers Trust, the time spent on that plan will count toward satisfaction of the Program's pre-existing condition waiting period. If the participating employer has a probationary period and the employee and/or dependent had coverage within the prior thirty (30) days, the probationary period will be counted toward the pre-existing condition waiting period upon enrollment in the plan. This is called "creditable coverage", and is defined as Medicare, Medicaid, TriCare, FEHBP, Indian Health Service, State Health Benefits risk pool, Peace Corps plan, other public health plan, or prior group or individual coverage. There are certain prior coverages that do not apply. Please contact your legal counsel or broker/agent for more information.

Benefits portability does not apply to the six (6) month transplant waiting period, unless the prior coverage was with another UnitedHealthCare plan.

### HI PAA Privacy Rules

Health Alliance for Technology (ALLtech) and its insurance carriers are subject to all federal privacy restrictions effective April 14, 2003. Procedures are in place to process protected health information as required. Please note: Due to the restrictive nature of these federal requirements, Administration Office and carrier personnel will not be able to respond to unauthorized inquiries and requests for information.

### FMLA Administration

The FMLA applies only to employers that employed fifty (50) or more employees during each of the twenty (20) or more calendar work weeks in the current or preceding calendar year and that are required by federal law to comply with FMLA provisions. Under this provision, eligible employees may receive up to twelve (12) weeks of leave during a twelve (12) month period, as provided by FMLA, under the following circumstances:

- The birth of an employee's child.
- The placement of a child with the employee for adoption or foster care.
- Care for the employee's seriously ill spouse, parent or child.
- The employee's own serious physical or mental health condition.

Benefits must be continued for employees on FMLA leave. Any payroll deduction must continue to be paid by the employee. Please contact your legal counsel or broker/agent for more information.

To assist the employer in its FMLA obligations, Health Alliance for Technology

(ALLtech) will continue to receive premium payments as if the employee was actively at work.

#### Medicare Secondary Payer (MSP) Rules

Health Alliance for Technology (ALLtech) will be primary over Medicare coverage for active employees and dependents.

#### Qualified Medical Child Support Orders (QMCSO)

Health Alliance for Technology (ALLtech) will comply with any court ordered enrollment of a child for benefits, whether it be as a result of divorce or governmental requirements.

#### USERRA Administration

USERRA (Uniformed Services Employment and Re-Employment Rights Act) has provisions that allow an employee, who is called up to military service, the right to continue coverage for up to eighteen (18) months by paying the monthly premiums. This is true even for groups that are too small to comply with COBRA. There are other employment related issues that go along with this legislation, including (but not limited to) having to hold the employee's position until he/she returns from service. For further information on USERRA, please contact your legal counsel or broker/agent.