



San Francisco Delays Employer Health Mandate Reporting Deadlines

The court challenge to the San Francisco employer health mandate has resulted in two modest delays in the implementation of the employer funding and reporting requirements.

Background

In 2006, San Francisco enacted the [Health Care Security Ordinance](#) (HCSO), which requires covered employers to make health care expenditures with respect to their San Francisco employees. (See our January 24, 2008 [For Your Information](#).) San Francisco's Office of Labor Standards Enforcement has announced a delay in two of the effective dates.

Annual Reporting Form

Employers must provide health care expenditure information to San Francisco on the HCSO Mandatory Annual Reporting Form, which will be mailed to all registered businesses and is to be returned with the employer's annual business registration submission. The annual reporting for 2007 was initially due by February 29, 2008, but the due date has now been extended to April 30, 2008.

Health Care Expenditure Rates

The "health care expenditure rate" is the minimum amount of health care expenditure that a covered employer is required to make for each of its covered employees for each hour paid (e.g., \$1.76 per hour in 2008 for large employers). The effective date of this funding requirement has been delayed from January 1, 2008 to January 9, 2008 for employers with 50 or more employees.

Conclusion

The delay in the employer reporting requirement for 2007 provides at least temporary administrative relief for employers. However, employers should begin collecting data to determine whether they have employees covered by the new law and what, if any, additional payments will be required for the first quarter of 2008. Buck's consultants are prepared to assist employers in complying with these San Francisco requirements.

This FYI is intended to provide general information. It does not offer legal advice or purport to treat all the issues surrounding any one topic.