CESSATION OF HEALTH CARE BENEFIT

ADVANCE NOTICE REQUIRED WHEN EMPLOYERS DECIDE TO CEASE PROVIDING A HEALTH CARE BENEFIT PLAN

Wisconsin law (Wis. Stat. § 109.075) requires employers who plan to discontinue health care benefits to current employees, retirees, and dependents of employees or retirees in some instances to provide the affected individuals with 60 days' notice of the cessation of benefits.

Q. Which employers must comply with this requirement?

A. An employer who operates a business enterprise in Wisconsin that employs 50 or more persons in the state must provide written notice of its intention to cease providing health care benefits to affected parties.

Q. Who is an affected individual entitled to this notice?

A. Employees, any union representing employees of that business, retirees and dependents of employees and retirees currently covered by the health care benefit plan are entitled to receive 60 days advanced written notice that their benefits will cease.

Q. Why should an affected person file a complaint about not receiving 60 days' notice of the cessation of a health care benefit plan?

A. A person who did not receive proper notice may receive either the value of the insurance premium(s) for the period without notice or the actual value of medical expenses incurred during the non-notification period (maximum of 60 days).

Q. If I have questions concerning this requirement or if I wish to file a complaint about not receiving notice, whom should I contact?

A. Contact either the Equal Rights Division in Milwaukee or Madison listed below.

STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION

201 E WASHINGTON AVE, ROOM A300 PO BOX 8928 MADISON WI 53708 Telephone: (608) 266-6860	819 N 6th ST ROOM 723 MILWAUKEE WI 53203 Telephone: (414) 227-4384

Website: http://dwd.wisconsin.gov/er/

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