

# The Pierce Group WEB PRESS

A NEWSLETTER TO KEEP YOU IN THE KNOW

## Welcome!

Welcome back to The Pierce Group Web Press, Pierce Group Benefits' e-newsletter written specifically for you, our valued client and loyal partner, to keep you updated on what's happening with our company and around the nation.

### U.S. Supreme Court to Hear PPACA Health Care Reform Challenges

As expected, on November 14, 2011, the United States Supreme Court accepted petitions to hear a constitutional challenge to the Patient Protection and Affordable Care Act (PPACA). This decision comes as no surprise as both the Obama Administration and the opponents of the law advocated for the court to rule on the law as quickly as possible.

The court agreed to take the lawsuit brought by 26 states and the National Federation of Independent Business (NFIB). The lawsuit claims that Congress exceeded its power by requiring most Americans to purchase health insurance starting in 2014. Instead of just examining the constitutionality of the individual mandate, the justices decided to look at several issues including Medicaid expansion, the role of the Anti-Injunction Act, and what provisions must be struck from the law if the mandate is ruled unconstitutional. A decision will be issued before its term ends in June 2012, in the middle of a Presidential election year. The Court has agreed to review

four questions that were raised in various lower court challenges to the PPACA:

**1. Individual Mandate:** Did Congress exceed its authority under the Commerce Clause of the Constitution in requiring that individuals maintain "minimum essential coverage" beginning in 2014, or pay a tax assessment?

**2. Severability:** If the individual mandate provision is nullified as unconstitutional, is it "severable" from the rest of the legislation, or will some or all of the other PPACA provisions also be nullified?

**3. Anti-injunction Act:** Are private individuals and states procedurally barred from challenging the constitutionality of the individual mandate by the Anti-Injunction Act, which prohibits legal challenges to taxes until after the tax is collected?

**4. Medicaid:** Did Congress exceed its constitutional authority in expanding the Medicaid program?



The justices will hear these cases, which encompass the questions above:

- National Federation of Independent Business, et al., v. Sebelius
  - U.S. Dept of Health and Human Services, et al., v. Florida, et al.
  - Florida, et al., v. HHS
- They will not hear:
- Thomas More Law Center v. Obama
  - Liberty University, et al., v. Geithner, et al.

The sixth petition, Commonwealth of Virginia, et al., v. Sebelius, was not before the Justices.

## Have You Used All Your Accrued FSA Dollars?

For many of you, the plan year is quickly drawing to a close and will end on December 31, 2011. The IRS regulation “Use It or Lose It” requires that you use the FSA dollars you have accrued before the end of the plan year or they will have to be forfeit. Don’t miss the opportunity to use the money you have been saving this year on all of your over-the-counter medical supply needs. A great place to use up those remaining FSA dollars is FSASStore. With the recent changes to the website, FSASStore now enables you to easily purchase both prescription and non-prescription required over-the-counter items all in one place.



### Here's how the new FSASStore service works:

- Shop for FSA eligible-with-prescription items at FSASStore. All products have an icon that will inform you if it is an eligible-with-prescription item or not.
- If the item does require a prescription, click on the prescription banner during checkout to complete the process.
- The easiest option for you is to simply provide contact information for your doctor and FSASStore takes care of the rest! Other options for submission include mailing in your prescription or having your doctor fax or call it in.
- Complete your order and wait for your shipment to arrive!

## Change of Plans?

Sometimes, as an employer, you may be asked questions by your employees about making changes to their pre-tax benefits during the plan year. Changes may only be made during the plan year if the employee experiences a qualifying event and must be made within 30 days of that qualifying event. But what exactly constitutes a qualifying event?

Here is a list of the IRS regulated qualifying events:

- Change in the employee’s legal marital status
- Change in number of dependents
- Change in the employment status that affects benefit eligibility
- Dependent satisfies or cease to satisfy dependent eligibility requirements
- A change in residence that affects the employees eligibility for coverage
- Commencement or termination of adoption proceedings
- HIPPA Special Enrollment Rights
- Judgements, Decrees or Orders (DROs)
- COBRA Events
- Entitlement to or loss of Medicare or Medicaid
- Significant changes in cost
- Significant curtailment of coverage
- Significant changes in coverage under the plan of the employer of a spouse or dependent
- Addition or elimination of a benefit package option
- Separation from services
- FMLA leave (30 days from taking leave or 30 days from returning from leave)



Please note that all qualifying events must be consistent with the request to add, drop or make a change that affects your pre-tax benefit. For example, the birth of a child would not allow you to make changes to any pre-tax benefit that does not affect you or that child directly.

## Year End Review

Is it just me, or has 2011 flown by? And even though the year seems to have gone by quickly, there have been many blessing and opportunities here at Pierce Group. We have been extremely fortunate over the past year in that our client base and office team has continued to grow and strengthen.

New in 2011: Groups Utilizing  
Pierce Group Benefits Services:  
Anson County Schools  
ArtSpace Charter School  
Cherokee County Schools  
Gates County Government  
Jones County Government  
Mooresville Graded School District  
Randolph Community College  
Vance Charter School  
Wake Technical Community College  
Washington County Schools

New 2011 Hires:  
Donna Nixon – Benefits Consultant  
Rachel Roby – Account Executive Assistant  
Danielle Welch – Graphic Design & Marketing  
Assistant



## Meet the Team: The Newcomers!

Next time you see a new face at a Pierce Group meeting or come across a fancy new video or website and wonder who created them, remember that we are always on the move and bring the industries best professionals on board! All the “newcomers” help us stay on top of our game so we can make it even easier for you to stay on top of your game! They may be new to Pierce Group, but each year these experienced professionals work hard to ensure that you always have the most up-to-date information and technologies available to you.

### **Rachel Roby – Account Executive Assistant**

**I have been with PGB for:** 3 months.

**Favorite part about your job:** Meeting all the people!

**Favorite Office Supply:** I love my 0.5 mechanical pencil

**Favorite Quote:** “The only mistake in life is the lesson not learned.” – Albert Einstein

**Favorite Pastime:** Reading and playing with my son.

**Favorite Lunch Spot:** My house because I love leftovers!

**The last movie I watched or book I read was:**

I read How Do Dinosaurs Say Goodnight to my son.

### **Danielle Welch – Graphic Design & Marketing Assistant**

**I have been with PGB for:** 2 months.

**Favorite part about your job:** Seeing my projects and design skills implemented to help the company

**Favorite Color:** Pink

**If I were an animal I would be a:** river otter

**Favorite piece of technology:** All of it

**Favorite Holiday:** 4th of July

**Favorite Pastime:** Crocheting, Painting, Adventuring

## About Pierce Group Benefits

Pierce Group Benefits is an insurance brokerage company that builds comprehensive benefits packages for public and private sector employers in North Carolina. By leveraging our alliances with insurance providers that are known for their strong benefit structures and unparalleled services, we give employees better benefits at competitive, affordable prices while creating time and cost savings and ease of benefits administration for employers.

**We'd Love to Hear From You!**

Want to learn more about a particular product? Have any questions or comments about this newsletter or have suggestions for future issues? Maybe you'd just like to tell us your thoughts.

**We'd love to hear from you!**

**Visit Us on the Web: [www.PierceGroupBenefits.com](http://www.PierceGroupBenefits.com)**

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