

June 29, 2010

## Final Early Retiree Reimbursement Application Available

On June 29, 2010, the Department of Health and Human Services (HHS) released the official application for the Early Retiree Reinsurance Program (ERRP) and related instructions, opening the ERRP to employer reimbursement requests. HHS also released a list of “Application Dos and Don’ts” that clarifies the next steps involved in the application process. Specifically, the Do’s and Don’ts state that a company’s Authorized Representative will be invited to register using an ERRP Secure Website if the application is approved, and that the Website will allow employers to complete actual reimbursement requests online. HHS had earlier posted Frequently Asked Questions that provide additional information regarding the application and reimbursement processes. These [documents](#) are available on the HHS Website.

The final application is substantially the same as the draft application issued earlier this month. See our [Legal Alert](#) dated June 3, 2010 for more information on the draft application and instructions. However, the final application does not require the authorized representative to provide his or her personal information (social security number and date of birth), noting that this information must be provided only if the application is approved. In addition, Item 1 contained in Part I. Section E, which requires the employer to summarize the intended use of reimbursements, now clarifies that reimbursements may be used to reduce or offset plan participant costs.

The final application states that completed applications must be sent to the “HHS ERRP Application Center” in Beltsville, Maryland.



*If you have any questions about this Legal Alert, please feel free to contact the attorneys listed below or the Sutherland attorney with whom you regularly work.*

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