**Distribution Guidelines**

For Wrap Plan Document

**Plan Document**

The ERISA Wrap Plan Document **must** be combined with other Plan documents you receive from an insurance company or third-party benefits administrator. This includes any summary Plan descriptions, certificate of insurance booklets, benefit schedules and other service contract documents. The combined documents will create the ERISA Wrap Plan.

An authorized representative of the Plan Sponsor must sign Section 8.1 to fully execute the written Plan document requirement under ERISA §402.

The ERISA Wrap Plan Document, plus any documents issued by an insurance company or third-party administrator, must be provided to participants at certain times:

* Existing employees who are participating in the Plan must be provided the Plan documents within 120 days of the Plan becoming subject to ERISA.[[1]](#footnote-1)1
* Newly covered participants, such as new hires, must be provided a copy of the Plan documents within 90 days of being covered under the Plan.1
* Upon request, participants must be provided a copy of the Plan documents within 30 days of the request.1
* There are other distribution guidelines, which Plan Sponsors can meet or exceed by providing a copy of the most recent Plan documents during each open enrollment.
* Electronic Distribution
* Pursuant to Department of Labor and Department of Treasury regulations, to deliver documents electronically, employees must have 1) readily available access to an employer's information systems, 2) computer access must be in the same area where the employees perform their work functions, and 3) computer access must be an integral part of the employee's work functions.
* Plan Sponsors may also provide documents electronically to employees who fail to meet the guidelines above provided 1) the employees complete a consent form to receive documents electronically, and 2) the employees specify an email address where documents can be sent.

For Collectively Bargained Plans Only:

If your Plan is a collectively bargained Plan, you should include a statement when distributing Plan document materials which indicates your Plan is collectively bargained, and a copy of the agreement is available to participants and beneficiaries upon written request to the Plan Administrator.

1. 1The Summary of Benefits and Coverage (SBC) documents which are generally issued by insurance companies have different distribution requirements under PPACA. [↑](#footnote-ref-1)