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FOCUS

Stowe Associates Insurance and Compliance Tips Newsletter



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During the economic downturn and resulting budget cuts, many employers are having difficulty funding all of their Risk Management and Human Resources functions and services. In this era of ever increasing employer liability it is more important than ever to comply with government regulations. Stowe Associates offers many complimentary compliance assistance services.

For more information or to request a no obligation demonstration contact your Stowe Associates representative or Alison Smith at asmith@stoweassociates.com or 770-451-6222.

Health Insurer Charging Unreasonable Rate Increases

Affordable Care Act shines a light on insurance company rate hikes, helps keep money in the pockets of Americans

Everence Insurance is charging small businesses unreasonably high premium increases according to the first federal rate review under the Affordable Care Act, the U.S. Department of Health and Human Services (HHS) announced today.

“We hope that by publicizing the excessive premium hikes, we will empower consumers,” the HHS Secretary said. “By shining a light on unjustified premium increases, we will hold health insurers accountable like never before, and help keep money in the pockets of Americans.”

Today’s announcement marks the first of many reviews that HHS will perform in addition to insurance rate reviews already being done by states. Proposals to raise rates by 10 percent or more will be reviewed.

The HHS review has found that Everence’s 12 percent rate increase for small businesses in Pennsylvania was excessive. After reviewing the rate, independent experts determined the choice of assumptions the company based its rate increase on reflected national data rather than reliable and available state data. These assumptions resulted in an unreasonably high premium in relation to the benefits provided.

“We have called on this insurer to immediately rescind the rate, issue refunds to consumers or publicly explain their refusal to do so,” said Steve Larsen, director of the Center for Consumer Information and Insurance Oversight at the Centers for Medicare & Medicaid Services.

Companies can either reduce their rate hikes or post a justification on their website within 10 days of the rate review determination.

FOCUS**Stowe Associates Compliance Tips****US Department of Labor's OSHA cites Texas Roofing Contractor for Lack of Fall Protection at 3 Wisconsin Work Sites**

The U.S. Department of Labor's Occupational Safety and Health Administration has cited, a residential roofing contractor based in Houston, Texas, with six safety violations for failing to provide fall protection at three Wisconsin job sites. OSHA's inspections were conducted at two sites in Cambridge and one in Janesville under a local emphasis program for fall protection. Proposed fines total \$102,300.

"Falls are the leading cause of death and injury in the construction industry. Employers such as this have a responsibility to ensure that workers are provided with and trained in the use of required fall protection," said director of OSHA's Madison Area Office. "OSHA is committed to protecting workers, especially when employers fail to do so."

Three willful violations are for failing to provide fall protection on commercial and/or residential roofs at the three inspected sites. Each violation carries a proposed penalty of \$30,800. A willful violation is one committed with intentional, knowing or voluntary disregard for the law's requirement, or plain indifference to employee safety and health.

Three serious violations, one for each job site, are for failing to implement a safety and health program. Each violation carries a proposed penalty of \$3,300. A serious violation occurs when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

OSHA standards require that an effective form of fall protection, such as guardrails, safety nets or personal fall arrest systems, be in use when workers perform residential construction activities 6 feet or more above the next lower level. Detailed information on fall protection hazards and safeguards is available online at:

<http://www.osha.gov/SLTC/fallprotection/index.html>.

Local emphasis programs are intended to address hazards or industries that pose a particular risk to workers in the jurisdiction of a particular OSHA regional or area office, and they are accompanied by outreach to area employers.

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