May 26, 2026

Acrisure's Employer Compliance Reminders, 5/26/26

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And just like that, we're kicking off summer and nearing the halfway point of the year—hard to believe how quickly time has flown. One more compliance requirement wraps up June, before shifting into preparation for July's deadline and all the fun the rest of the year brings.

Upcoming Key Compliance Deadlines

RxDC Reporting

This should be well underway. As a reminder, this transparency provision is a part of the Consolidated Appropriations Act (CAA) that was enacted in December 2020. Employer-sponsored health plans and insurance issuers are required to report prescription drug spending annually to the federal government. If you're unsure about the progress, consider reaching out to your broker agent or TPA (Third Party Administrator) for confirmation.

The CMS deadline to submit 2025 RxDC data is **June 1, 2026**.

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Non-Discrimination Testing

Although this is not due until the end of the year, conducting midyear Non-Discrimination Testing (NDT) is critical in identifying and correcting any disparities in benefit distributions among different employee groups. This proactive step helps mitigate legal risks and ensures that your health benefits program remains fair and compliant.

PCORI Fees

This deadline is not until the end of ***July***; however, complying with it requires significant preparation and information collection. It is highly recommended to start gathering the necessary data to ensure timely compliance.

Employers of certain self-insured health plans are responsible for paying PCORI (Patient-Centered Outcomes Research Institute) fees annually. **Fees for plan years that ended in 2025** are due ***July 31, 2026.***

- PCORI fee for plan years ending between October 1, 2024, and before October 1, 2025, is **$3.47** per covered life.
- PCORI fee for plan years ending between October 1, 2025, and before October 1, 2026, is **$3.84** per covered life.

These fees are reported on **IRS Form 720**(opens in a new tab). Note: the most current Form 720 with the updated amounts has not yet been released. The IRS should be releasing the updated form soon, but that should not hold up the information gathering process. Find additional information regarding PCORI on this IRS webpage (opens in a new tab) and in our Benefits Bulletin about (opens in a new tab)PCORI fees.

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In Case You Missed It

In response to Executive Order 14216(opens in a new tab), the U.S. departments of Labor, Health and Human Services, and Treasury have issued a proposed rule(opens in a new tab) that would formally designate certain fertility benefits as "limited excepted benefits." If finalized, this rule would create a new, optional pathway for employers to offer fertility coverage outside of their core medical plan – adding meaningful flexibility to benefit design and delivery.

The proposal builds on prior agency guidance by establishing a distinct category of limited excepted benefits specifically for fertility services. At a high level, it would allow employers to:

- Offer stand-alone fertility benefits, similar to dental or vision coverage
- Cover services related to the diagnosis, mitigation, or treatment of infertility
- Provide access to fertility benefits without requiring enrollment in the employer's major medical plan

Importantly, offering this type of coverage would remain voluntary. However, the proposal is intended to reduce barriers for employers that choose to offer fertility benefits in this way.

The rule is currently in a 60-day public comment(opens in a new tab) period, ending July 12, 2026. We are continuing to monitor developments, as this could present a strategic opportunity for employers to rethink how fertility and family-building benefits fit within their broader total rewards strategy. Learn more in our recent Legal Update, Federal Agencies Issue Proposed Rules on Offering Fertility Benefits(opens in

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a new tab).

Upcoming Training Opportunity

Acrisure will be hosting **"Rebuilding Culture When Trust Is Broken**," on June 18 at 2PM ET. When trust erodes and morale declines, leaders often need more than just slogans or surveys alone. Employees may look for visible action, clear direction, and consistent leadership. This candid, practical session focuses on identifying potential sources of cultural strain, rebuilding credibility through dependable leadership behaviors, and strengthening alignment across managers. Participants will explore ways to create fast, practical improvements that can help restore confidence and momentum. HR and business leaders can review practical considerations to help stabilize teams, reduce disruption, and support a healthy culture grounded in transparency, accountability, and purpose.

This event is a part of Acrisure's continued education series and free of charge. Registration(opens in a new tab) is required so be sure to sign up in advance.

Compliance Disclaimer:

This communication is for informational purposes only and should not be considered legal or tax advice. Employers should consult with legal counsel or other appropriate professionals regarding their specific compliance obligations.

Attachments

Benefits Bulletin: PCORI Fees

Legal Update: Proposed Rules for Offering Fertility Benefits

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