

## DOL REGULATIONS

**December 5, 2013**  
**Milburn Country Club**  
**7501 W. 69th Street, Overland Park KS**  
**4:30 pm - 6:30 pm**

Our speaker will be **Cynthia Smith Shewmaker**, Senior Benefits Advisor/Outreach Coordinator for the U.S. Department of Labor, Employee Benefits Security Administration. She will address the latest DOL regulations with respect to ACA/ERISA/HIPAA.

We will begin at 4:30 pm with drinks and hors d'oeuvres, followed by the presentation. One hour of CE is available from Kansas and Missouri is pending.

As Senior Benefits Advisor, Cindy provides technical assistance and customer service to participants and beneficiaries in private sector pension and welfare plans, including health insurance programs. She advises plan administrators and other plan service professionals on compliance issues as related to ERISA.

Cindy is the Outreach Coordinator for a team of individuals who perform outreach and education throughout the Kansas City Office's regional jurisdiction. She represents EBSA at a variety of seminars directly related to retirement savings, fiduciary topics and health insurance, including COBRA, HIPAA and the Affordable Care Act. She graduated with a B.S. from the University of Central Missouri.

So, mark your calendar, and join us for our annual Holiday Party!

The registration fees are \$50 for members and \$60 for nonmembers.

- Go to [www.ebpa-kc.org](http://www.ebpa-kc.org) to register

## PRESIDENT'S MESSAGE

Hello,

Happy Holidays to all of you!

The board and I would like to thank you for your attendance at luncheons, constructive feedback and suggestions. The board is especially pleased that we have been able to offer an eclectic and diversified range of topics that not only presented new material, but also met the criteria for continuing education credits. This is why our membership has grown and will continue to grow. The golf tournament and seminar were well attended as have been the luncheons throughout this year.

It goes without saying that the dedicated members of the 2013 board are a huge reason 2013 has been successful. A special thanks to each and every one of them.

Our holiday luncheon will be held at Milburn Country Club on December 5, 2013 from 4:30 pm – 6:30 pm. The speaker will be Cynthia Smith Shewmaker. Ms. Shewmaker is Senior Benefits Advisor within the K.C. Regional Office of the Employee Benefits Security Administration.

I have held different positions on the EBPA board since 2009. January 2014 I will move into the position of President Emeritus and Andie Dowell will be your 2014 President. It has been a privilege to meet and work with so many wonderful people. I wish each of you a holiday season filled with joy and happiness.

- Judy Wood, President



## EBPA 2013 Board of Directors

President *	Judy Wood
Vice President *	Andie Dowell
Secy/Treasurer *	Tracy Johnson
Editor	James Winne
Seminar Chair	Denise Lambert
Social Chairs	Lauren Schultz
Legislative Chair	Kristin Grace
Membership Chair	Amy Angotti
Bylaws Chair	Kim Ehrlich
Public Relations	Drew Burns
President Emeritus*	Matt Tritz

### Past Presidents

1987-88	Vince Peyton
1989	David J. Kiblen
1990	Sandra Ruder
1991	Pat Bolin
1992	Timothy Dorr
1993	Jim Walter
1994	Jan Lyon
	Jack Lowry
1995	Jim Wolf
1996	Mark Whiting
1997	Bill Brown
1998	Marlene Riley
1999	Robert Mulvaney
2000	Marian Govreau
2001	Dale Johnson
2002	Denise Koch
2003	Bill Egelhoff
2004	Andrew Carter, Jr.
2005	Kevin Bur
2006	Scott Mitchell
2007	Susan Young
2008	Brenda Beachey
2009	Michelle Ohlde
2010	Ramona Farris
2011	Dawn DeCelles

\* denotes an Executive Committee member

The *EBPA Newsletter* is published quarterly by the Greater Kansas City Employee Benefit Professionals Association, a Non-Profit Organization, P.O. Box 40071, Overland Park, Kansas 66204-0971 (913) 381-4458, fax (913) 381-9308. Newsletter items should be submitted to the editor, James Winne, Tria Health, 7101 College Blvd, Overland Park, KS 66210, 913-262-2187, jwinne@triahealth.com.

The opinions expressed in the *EBPA Newsletter* are those of the writers and not necessarily those of the Greater Kansas City Employee Benefit Professionals Association.

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## 2014 Board of Directors Slate

The following candidates for officers will be voted on at the December meeting:

President	<b>ANDIE DOWELL,</b> HealthyFit
Vice President	<b>DENISE LAMBERT,</b> Saint Luke's Health System
Secy/Treasurer	<b>TRACY JOHNSON,</b> HealthyFit

They will be joined by the following board members:

Membership Chair	<b>AMY ANGOTTI,</b> Kansas City Life Insurance
Public Relations Chair	<b>DREW BURNS,</b> Sun Life Financial
Social Chair (golf)	<b>BRET BUXTON,</b> Willis
Seminar Chair	<b>STACY WELLS,</b> Meritain Health
Newsletter Editor	<b>JAMES WINNE,</b> Tria Health
Legislative Chair	<b>LAUREN SCHULTZ,</b> Holmes, Murphy & Associates
Bylaws Chair	<b>STACY RATH,</b> CBIZ Benefit & Insurance Services
President Emeritus	<b>JUDY WOOD,</b> CIBZ Benefit & Insurance Services

### **Mark Your Calendar for Our Next Meeting**

**February 14, 2014**  
Luncheon Meeting

**DoubleTree Hotel**  
Overland Park, KS



Greater Kansas City  
Employee Benefit Professionals Association

## Legislative Report: IRS Modifies the Use-It for Lose-It Rule

by Kristin Grace, Legislative Chair

One of the requirements of an Internal Revenue Code Section 125 cafeteria plan is that there can be no deferral of compensation from one plan year to the other. The only exception to this is when there is a health savings account component plan or a 401k component plan tied to the cafeteria plan.

For this reason, flexible spending accounts have been subject to what has become known as the “use-it or lose-it” rule wherein any unused account balance remaining at the end of the plan year is lost. For years, Congress has toyed with the idea of modifying this use-it or lose-it rule. To that end, on October 31, 2013, the Internal Revenue Service issued Notice 2013-71. This IRS guidance modifies the use-it or lose-it rule to allow up to \$500 of unused dollars to be carried forward and used in the next plan year.

One of the requirements for this carry-forward is that the health FSA cannot include a grace period during which claims can be incurred. A grace period is distinguished from a run-out period in that during a grace period, claims can be incurred and reimbursed from prior year funds. In a run-out period, expenses incurred in the prior year can be reimbursed with funds collected in the prior plan year.

This new carry-forward provision allows up to \$500 of unused funds to be carried forward and used anytime in the succeeding plan year. The amount carried-forward

does not reduce the salary reduction cap, currently \$2,500, imposed on FSAs.

A plan wishing to avail itself of the carry-forward feature would have to be amended to terminate a grace period provision, if any; and would have to be further amended to provide for the carry forward. The plan can, but is not required to, allow the carry forward, and the amount carried forward can be any amount up to \$500. The carry-forward feature must be available to all FSA plan participants.

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***This IRS guidance modifies the use-it or lose-it rule to allow up to \$500 of unused dollars to be carried forward and used in the next plan year.***

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According to this guidance, the plan must be amended prior to the end of the plan year to which the amendment applies, and the change must be made retroactive to the beginning of the plan year.

Further, participants must be notified about the change. The Notice provides that an FSA plan commencing in 2013 can be amended in accordance with this guidance. A plan may be amended anytime prior to the end of the 2014 plan year, retroactive to the beginning of the 2013 plan year, as long as all of the conditions are satisfied.

In assessing whether to adopt the carry-forward feature, it is important to remember that a general purpose FSA causes an individual to be HSA-ineligible.

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***Happy Holidays from the  
Board of Directors***

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## Check Your CE Credits

EBPA files all credits for meetings electronically with the states of Kansas and Missouri. You are able to check the credits that have been filed on your behalf by going to:

**Kansas:** <http://www.ksinsurance.org/industry/agent/conted.htm>

**Missouri:** [http://insurance.mo.gov/agents/ce/ce\\_res.php](http://insurance.mo.gov/agents/ce/ce_res.php)

*You must be a member of EBPA in order to receive the CE credits from a meeting. An evaluation form must be completed and turned in at each meeting, as well as the sign-in sheet completed.*

**Check out our web site at:  
[www.ebpa-kc.org](http://www.ebpa-kc.org)**

## Notice of CEU Procedures

Participants must sign in at the registration desk **AND** submit a completed evaluation form in order to receive CEU credits. Documents will not be accepted by mail. *CEU credit is available to 2013 EBPA members only.*

### EBPA December 5, 2013 Reservation

Company \_\_\_\_\_

Name(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

To pay by credit card:  Mastercard  Visa  Amex No. \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature of cardholder \_\_\_\_\_

Registration fee: Prior to Dec 3: \$50 for members, \$60 for nonmembers, add \$5 after Dec 3  
Payment must be received in advance of the meeting.

**Cancellations must be received 48 hours in advance of seminar.**

*EBPA, P.O. Box 40071, Overland Park, KS 66204, 913.381.4458, fax 913.381.9308, ebpa@sbcglobal.net*