

# MASSACHUSETTS NON-DISCRIMINATION CERTIFICATION

\_\_\_\_\_, (hereafter, Employer), hereby certifies that as of \_\_\_\_\_,  
Name of Employer Insert date of issue or renewal of group contract

Employer is in compliance with the provisions of Chapter 58 of the Massachusetts Acts of 2006 that require Massachusetts employers to offer their group health benefit plans on a non-discriminatory basis to employed Massachusetts residents. Specifically, Employer certifies the following:

**1.** Employer offers the ConnectiCare of Massachusetts (CMI) health benefit plan(s) it has chosen to all of its full-time employees living in Massachusetts. It is acknowledged that Employer is not required to offer the CMI health benefit plan(s) to retirees or part-time, temporary or seasonal employees as defined within regulations promulgated by the Massachusetts Division of Health Care Finance and Policy regarding the so-called "employer fair share contribution."

Further, it is acknowledged that:

- A full-time employee is an employee who is scheduled or expected to work at least the equivalent of an average of 35 hours per week over the applicable base period who is not a temporary employee or a seasonal employee.
- A temporary employee is an employee who is expected to work 12 consecutive weeks or fewer.
- A seasonal employee is an employee who is so recognized by the Massachusetts Department of Unemployment Assistance.

**2.** Employer does not make a smaller premium contribution percentage for each CMI health benefit plan which it offers to any full-time employee living in Massachusetts than the employer makes to any other full-time employee living in Massachusetts who receives an equal or greater total hourly or annual salary. It is acknowledged that this provision does not apply to any separate contribution percentages for employees covered by collective bargaining agreements. Employer acknowledges that it is permitted to make premium contributions in accordance with the following rules:

- Employer may establish a fixed dollar amount contribution to premium regardless of salary for all full-time employees living in Massachusetts.
- Employer may establish different percentage contributions or fixed dollar contributions for different plan choices, as long as the contributions made with respect to each plan on behalf of full-time employees living in Massachusetts do not differ based on the salary level of those employees.
- Employer may establish greater contribution levels for increasing lengths of service, as long as the schedule of contribution levels is part of a formal employee benefit plan and is designed as a reward for longevity rather than as a pretext for providing better health insurance contributions to more highly paid employees.
- Employer may establish greater contribution levels for employees who participate in company-sponsored health and wellness programs.
- Employer may establish contribution levels for dependents of covered full-time employees living in Massachusetts that differ from contribution levels for full-time employees, provided that the contribution level is the same for all dependents of said full-time employees living in Massachusetts and does not differ based on the salary level of those employees.

\_\_\_\_\_  
Name of employer

\_\_\_\_\_  
Print name of person signing

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Group Number