



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 12/7/2023

File ID: TMP-3672

Department: Human Resources

Subject:

Type of Action: Approval/Action

Resolution to authorize the Mayor or his designees, Byron K. Thomas, Director of Human Resources and Shellie Gentle, Insurance & Benefits Manager of Human Resources, to annually submit the required GCPCA as the Attestor and Submitter as required by federal law. Additionally, to authorize BCBS of Alabama to submit the GCPCA on behalf of the City's Group Health Plan.

Resolution No.

Finance Information:

Account Number: N/A

City Cost Amount: N/A

Total Cost: N/A

Special Circumstances:

Grant Funded: N/A

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address:

District: District 1 District 2 District 3 District 4 District 5

Additional Comments: This resolution is required to authorize the Mayor and his designees to annually complete the Gag Clause Prohibition Compliance Attestation (GCPCA) in accordance with the requirements of the Internal Revenue Code Section 9824, Employee Retirement Income Security Act (ERISA) section 724, and Public Health Services (PHS) Act section 2799A-9 as added by the Consolidated Appropriations Act, 2021 (CAA). Additionally, to authorize BCBS of Alabama to submit the GCPCA on behalf of the City's Group Health Plan.

RESOLUTION NO. 2023--

WHEREAS, the United States, through its Departments of Labor, Health and Human Services, and Treasury (collectively, “the Departments”), require certain group health plans to annually submit a Gag Clause Prohibition Compliance Attestation (GCPCA) in accordance with the compliance requirements of the Internal Revenue Code Section 9824, Employee Retirement Income Security Act (ERISA) section 724, and Public Health Services (PHS) Act section 2799A-9, as added by the Consolidated Appropriations Act, 2021 (CAA),

WHEREAS, the City of Huntsville’s employee group health plan is the type group health plan required to annually submit a GCPCA by December 31 of each calendar year with the initial attestation required by December 31, 2023, and is considered to be a “reporting entity” subject to the aforementioned law and attestation requirements.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor, in his official capacity, or his designees, Byron K. Thomas, Director of Human Resources and Shellie Gentle, Insurance & Benefits Manager of Human Resources, in their official capacities, are hereby authorized and requested to annually submit required GCPCAs as the Attestor and Submitter, on behalf of the City of Huntsville’s Group Health Plan as required by federal law.

BE IT FURTHER RESOLVED by the City Council of the City of Huntsville, Alabama that the Mayor and his designees as named above are also further authorized to act on behalf of the City of Huntsville to authorize, by written agreement, Blue Cross Blue Shield of Alabama, acting as the City’s Third Party Administrator for the City of Huntsville Group Health Plan, to submit GCPCA on behalf of the City’s Group Health Plan as necessary and agreed in accordance with federal law.

ADOPTED this the _____ day of _____ 2023.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the _____ day of _____ 2023.

Mayor of the City of Huntsville, Alabama