



EMPLOYEE BENEFITS COMPLIANCE ADVISOR



UBA EXPERT COMPLIANCE RESOURCES

2025 Penalties for Health and Welfare Plans

March 20, 2025

In January, the Department of Labor (DOL) published the inflation-adjusted penalties for ERISA violations in 2025. The following table summarizes the new penalty amounts and reminds employers of filing deadlines to avoid incurring penalties.

Violation	Penalty		Deadline
	2024	2025	
Failure to file Form 5500	Up to \$2,670/day late	Up to \$2,739/day late	July 31, 2025, or Oct. 15, 2025 (with extension)
Failure of a Multiple Employer Welfare Arrangement (MEWA) to file the report required under ERISA	Up to \$1,942/day late	Up to \$1,992/day late	March 1, 2025
Failure to furnish information requested by DOL under ERISA within 30 days	Up to \$190/day late, capped at \$1,906/request	Up to \$195/day late, capped at \$1,956/request	30 days after request
Failure to inform employees of Children’s Health Insurance Program (CHIP) coverage opportunities	Up to \$141/day late per employee	Up to \$145/day late per employee	Annual notice required
Failure to timely provide to any state coordination of coverage information required under ERISA	Up to \$141/day late per employee	Up to \$145/day late per employee	Timely, upon request
Failure by group health plan or plan sponsor to meet the requirements of ERISA regarding genetic health information	\$141/day of noncompliance	\$145/day of noncompliance	N/A

Violation	Penalty		Deadline
	2024	2025	
Minimum penalty for non-de minimis failure to meet genetic information requirements that is not corrected prior to notice from DOL	\$21,864	\$21,310	N/A
Minimum penalty for de minimis failure to meet genetic information requirements that is not corrected prior to notice from DOL	\$3,550	\$3,642	N/A
Cap on unintentional failure to meet genetic information requirements	\$710,310 maximum	\$728,764 maximum	N/A
Failure to provide Summary of Benefits Coverage	Up to \$1,406/failure	Up To \$1,443/failure	With enrollment materials and upon renewal/reissuance of coverage. To special enrollees by date the SPD is required to be provided (90 days from enrollment). Within 7 days upon request.

Employer Action Items

- Prepare for annual filing or extension to file Form 5500 by July 31 for calendar year plans.
- Ensure annual notices have been distributed and are on track to be distributed for the next plan year.
- Conduct an internal compliance audit to ensure compliance with the prohibition of discrimination based on genetic health information.
- Be prepared to respond to requests for information from the DOL or state agencies.

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