



# State & Local Compliance Update

## USI EMPLOYEE BENEFITS

September 21, 2023

## San Francisco HCSO Expenditures and Reporting Update for 2024

The San Francisco Health Care Security Ordinance (“HCSO”) minimum expenditure rates for 2024 have been released, and the HCSO Annual Reporting Form for calendar year 2023 is due on April 30, 2024.

### 2024 MINIMUM EXPENDITURE RATES

Under the HCSO, covered employers must make minimum health care expenditures at the following rates for each hour worked by covered employees in San Francisco:

Employer Size	Number of Employees	2023 Health Care Expenditure Rate	2024 Health Care Expenditure Rate
Large	All employers with 100 or more employees	\$3.40 per hour payable	<b>\$3.51</b> per hour payable
Medium	Businesses with 20-99 employees Nonprofits with 50-99 employees	\$2.27 per hour payable	<b>\$2.34</b> per hour payable
Small	Businesses with 19 or fewer employees Nonprofits with 49 or fewer employees	Exempt	Exempt

The hours payable under the HCSO for each employee are capped at 172 hours per month. Therefore, for 2024 the maximum required health care expenditure for a covered employee of a large employer is \$603.72 per month (\$3.51/hour x 172 hours). For a medium-sized employer, the maximum required expenditure for a covered employee is \$402.48 per month (\$2.34/hour x 172 hours).

Managerial, supervisory, or confidential employees who earn more than a specified amount are exempt from the minimum health care expenditures requirement under the HCSO. For 2023, the earnings threshold for these employees to be exempt from the HCSO is \$114,141 per year (or

\$54.88 per hour). As of January 1, 2024, the new threshold will be \$121,372 per year (or \$58.35 per hour).<sup>1</sup>

## ANNUAL REPORTING FORM

Covered employers must submit an online report each year that summarizes how they complied with the HCSO. The web-based HCSO Annual Reporting Form for the prior calendar year is typically available on the San Francisco Office of Labor Standards Enforcement (“OLSE”) HCSO website by April 1 and must be submitted by April 30.<sup>2</sup> For example, the HCSO Annual Reporting Form for calendar year 2023 is expected to become available on the HCSO website by April 1, 2024, and is due by April 30, 2024.

## EMPLOYER NEXT STEPS

Covered employers should ensure that they will be making the required minimum health care expenditures in 2024 at the new rates for employees in San Francisco, and maintain records showing compliance with the HCSO requirements.

The 2024 version of the HCSO poster, which must be posted in all workplaces with covered employees, is expected to become available by December 2023. Covered employers should monitor the San Francisco HCSO website (linked below) to obtain and post the 2024 version of the poster by January 1, 2024.

Covered employers should also be prepared to submit the HCSO Annual Reporting Form for calendar year 2023 no later than April 30, 2024.

## RESOURCES

- San Francisco HCSO website, <https://sfgov.org/olse/health-care-security-ordinance-hcso>

**USI** [usi.com/locations](https://usi.com/locations)

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<sup>1</sup> See the San Francisco OLSE HCSO website, <https://sfgov.org/olse/health-care-security-ordinance-hcso>

<sup>2</sup> This annual reporting includes the reporting requirement associated with San Francisco's Fair Chance Ordinance (“FCO”). Details related to the FCO are not included in this summary. For more information, visit the OLSE's FCO website, <https://sfgov.org/olse/fair-chance-ordinance-fco>