

2021 FORM M-1 BULLETIN



U.S. Department of Labor
Employee Benefits Security Administration

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EXECUTIVE SUMMARY

The Department of Labor (the Department) requires multiple employer welfare arrangements (MEWAs) and entities claiming exception (ECEs) (together, “entities”) that provide medical benefits to report important information through the Form M-1. This information helps both the Department and state insurance regulators protect consumers by identifying new entrants in states, entity growth, solvency risks, and other relevant concerns.

The 2021 Form M-1 Bulletin focuses on MEWAs and ECEs that provided benefits during and/or started operations in 2021 and draws some distinctions between them. The various tables and graphs presented in this bulletin provide a snapshot of Statistical Year 2021 Form M-1 filings, which the Department defines as:

- entities indicating they began operations and submitted their Form M-1 during 2021;
- entities indicating a material change that occurred during 2021; and
- entities indicating having operated from January 1 to December 31, 2021, or in a fiscal year with at least 6 continuous months in 2021.

For this bulletin, the Department used the same criteria to define the time period of the filing population as the bulletins from 2018, 2019, and 2020, which allows for comparisons between prior years. Statistics in this report include the number of unique filers, reasons for filing, total participants covered, states in which entities are operating, funding (i.e., fully insured or not fully insured), and the types of service providers. It also includes several tables with information about Plan MEWAs, Non-Plan MEWAs, and ECEs that filed both an annual Form M-1 filing and a Form 5500 for the same period.

The key statistics regarding the 2021 Statistical Year Form M-1 population are:

- There were 932 Form M-1s, the vast majority of which were filings for Plan MEWAs. Consistent with the M-1 annual report’s March 1 filing deadline, 65 percent of the total filings were submitted in February and March of 2022, though filings that referenced Statistical Year 2021 were submitted as early as May 2020 and as late as December 2023.¹
- Entities may file multiple Form M-1s in a given year to meet their M-1 annual report filing requirement as well as to notify the Department of new or changing service providers, expansions into new states, a substantially different number of participants, mergers with other entities, and other material changes. While most entities (nearly 81 percent) submitted a single filing, 19 percent submitted multiple filings, including six MEWAs that each submitted four Form M-1s. As a result, the 932 filings are composed of only 759 unique entities, of which 701 (92 percent) were Plan MEWAs.
- Entities may also indicate multiple reasons for filing the Form M-1. Among the filings, 87 percent indicated annual reports as their filing reason, and nearly 11 percent indicated MEWA Registrations as the reason.

¹ Annual reports for 2021 submitted after the filing deadline are included in this report.

- While MEWAs and ECEs that filed Form M-1s during the period covered by this report operated in all states and U.S. territories, these entities were most often headquartered in California, Washington state, or Texas. There were 177 entities (23 percent) that indicated operating in a new state in 2021, with Florida and Texas having the most entities indicating “new state.”² This was a notable increase over 2020, where only 12 percent of unique entities reported operating in a new state.
- Most MEWAs that submitted an annual report indicated they were fully insured in 2021, with 79 percent of Plan MEWAs and 59 percent of Non-Plan MEWAs indicating being fully insured in all states. Every ECE reported being fully insured in all states. Of entities that indicated they were not fully insured in at least some states, nearly 82 percent reported having stop-loss insurance, and 71 percent reported that an actuary provided their entity services.
- MEWAs and ECEs reported a total of 2.7 million participants on their annual reports. Approximately 88 percent of these participants were in Plan MEWAs. While there were far fewer Non-Plan MEWA filings, the average number of Non-Plan MEWA participants was nearly twice as many as the average number of Plan MEWA participants. Though MEWAs are required to file each year, ECEs are generally only required to file for their first 3 years of operation (if an ECE undergoes certain events, a new 3-year filing period begins); thus, the total number of participants in all ECEs is not reported in this bulletin.
- The Department was able to identify 543 entities that filed both a Statistical Year 2021 Form M-1 Annual Report and a Form 5500 for the same period, or 73 percent of the 742 unique entities that filed a Form M-1 Annual Report.
- Nearly all matched entities (roughly 97 percent) that the Department identified as being fully insured from filing characteristics on their Form 5500 filings reported being fully insured on their Form M-1 as well.

² The Department determined the count of entities operating in new states through a tabulation of entities that specified at least one state as being a “new state” in Part II Question 17 of the Form M-1.

NOTABLE TRENDS FROM 2020 TO 2021

- Unique entity filings for Plan MEWAs and ECEs increased by 2 percent and 33 percent, respectively, while Non-Plan MEWA filings remained unchanged.
- Using the largest number of participants reported on all entities' Form M-1 filings in a given year, MEWAs and ECEs reported 2,760,293 participants in 2021, an increase of 3 percent from 2020. While both participants in Plan MEWAs and Non-Plan MEWAs grew by 3 percent and 31 percent, respectively, ECE participants declined by 87 percent.³
- The number of Non-Plan MEWAs that reported not being fully insured decreased by almost 5 percent from 2020 to 2021. Plan MEWAs that reported not being fully insured increased by nearly 2 percent, while ECEs decreased by two entities.⁴

Table 1: Form M-1 Filing Highlights, Statistical Years 2020 and 2021

Entity Type	2020	2021	Percent Change
Unique Entity Counts, Total Filings			
Plan MEWA	687	701	2.0%
Non-Plan MEWA	50	50	0.0%
ECE	6	8	33.3%
Total	743	759	2.2%
Participants, Total Filings			
Plan MEWA	2,335,469	2,414,652	3.4%
Non-Plan MEWA	255,287	335,059	31.2%
ECE	83,057	10,582	-87.3%
Total	2,673,813	2,760,293	3.2%
Not Fully Insured, Annual Reports			
Plan MEWA	132	134	1.5%
Non-Plan MEWA	21	20	-4.8%
ECE	2	0	-100.0%
Total	155	154	-0.7%

³ Although unique filings by ECEs increased from 2020 to 2021, ECE participants experienced a large decline. This decline occurred due to an annual report filed by just one ECE that was excluded from the Statistical Year 2021 analysis dataset. In last year's bulletin, this ECE reported a July 1, 2020- June 1, 2021 plan year, which, because it didn't operate for a full 6 months in 2021, was considered a 2020 filing. Its subsequent filing had a revised plan year end date, reporting a July 1, 2021- June 30, 2022 plan year. With this change, the reported plan year now meets the definition of inclusion for 2022, not 2021 (the Department classifies based on the latest year in which 6 months of the plan year occurred). This was the largest ECE in Statistical Year 2020 and accounted for 82 percent of ECE participants, so its exclusion greatly affects the number of ECE participants. This ECE will again be included for Statistical Year 2022, which will result in a commensurate large increase in ECE participants for next year's bulletin.

⁴ Because ECEs only have to file for the first 3 years following an origination event, there are a relatively small number of ECE filings submitted each year. This small number of ECE filings means that relatively few ECEs dropping out of the filing population can cause large percentage changes.

TERMINOLOGY

- **Additional Filings:** The Form M-1 and its instructions require entities to submit multiple filings during a plan year based on the occurrence of certain events. In this report, the Department identified any subsequent filings, regardless of the purpose, as additional filings.
- **Employer Identification Number (EIN):** An EIN is a unique identification number assigned to an entity by the Internal Revenue Service. Several sections of the Form M-1 require EIN reporting for identification purposes.
- **Entity:** Entity refers to all types of filers of the Form M-1, including Plan MEWAs, Non-Plan MEWAs, and ECEs.
- **Entity Claiming Exception (ECE):** An entity that is exempted from the MEWA definition on the basis that the entity is established or maintained pursuant to one or more agreements that the U.S. Secretary of Labor finds to be collective bargaining agreements within the meaning of the Employee Retirement Income Security Act of 1974 (ERISA) section 3(40)(A)(i) and accompanying regulations at 29 CFR 2510.3–40.
- **Filing:** In this report, the Department identified individual filings by their unique Form ID number. Each Form M-1 filing is assigned a unique Form ID number.
- **Filing Date:** The calendar day an entity submits a Form M-1 filing.
- **Filing Purpose:** There are seven purposes for filing the Form M-1.
 - **Annual:** An annual report is the annual filing MEWAs and certain ECEs are required to submit by March 1. For ECEs, the annual filing is required for the first 3 years after an origination.
 - **Amended:** MEWAs and ECEs submit an amended report to correct errors and/or omissions on a previously filed Form M-1.
 - **Extension:** The Department may grant a one-time extension and provides the filer 60 days beyond the deadline to complete and submit the Form M-1. The extension request form must include responses to the purpose of filing as well as information about the administrator and sponsor in the “Custodial and Financial Information” section of the Form M-1.
 - **ECE Origination:** A filing submitted 30 days before the ECE begins operating or within 30 days of the ECE merging with another ECE or increasing participant numbers by 50 percent or more since the end of the previous calendar year.
 - **ECE Special Filing:** A filing submitted within 30 days of a special event, which includes knowingly operating in any additional state or experiencing a material change.
 - **MEWA Registration:** A filing submitted 30 days before the MEWA begins operating or within 30 days after the MEWA merges with another MEWA, expands coverage into a new state, experiences an increase in the number of participants by 50 percent or more since the end of the previous calendar year, or undergoes a material change.
 - **Final Report:** A final report filing generally indicates that the MEWA or ECE does not intend to file the Form M-1 in the following year due to entity termination. Alternatively, an ECE may indicate a final filing on its third annual report filing following an ECE origination filing. In that instance, absent a change in circumstances, the ECE is no longer required to file an annual Form M-1 while it continues to operate.

A single filing may satisfy multiple purposes. Additionally, ECE Originations, ECE Special Filings, and MEWA Registrations could require supplemental information for certain underlying events.

- **Form 5500 (Annual Return/Report):** An annual report filed with the Department by employee benefit plans that contains information on a plan’s assets, contributions, the number of participants, service providers, and insurance contracts, among other attributes. Plan MEWAs are required to file a Form 5500 in addition to the Form M-1. ECEs that meet the definition of an employee benefit plan and are established or maintained under or pursuant to one or more collective bargaining agreements would also be required to file a Form 5500.
- **Form Year:** The Form M-1 is updated and released annually. The form year is the year designated on the Form M-1 (e.g., 2021 Form M-1).
- **Fully Insured:** In this report, the Department identified entities as fully insured when they report all states listed in Part II 17a as fully insured in Part II 17g for each state.⁵ (See Table 2A in [Appendix A](#)).
- **Headquarters:** The geographic location of the address the MEWA or ECE reports in Part II 1a, which the Department interprets as the entity’s headquarters.
- **Insurance Provider:** The company that provides insurance to the entity. Entities report insurance providers for each state in Part II 17.
- **Medical Benefits:** Coverage for the diagnosis, cure, mitigation, treatment, or prevention of disease, or amounts paid for the purpose of affecting any structure or function of the body as well as transportation primarily for and essential to the actions listed above.⁶
- **Multiple Employer Welfare Arrangement (MEWA):** An employee welfare benefit plan or other arrangement that provides welfare benefits to the employees of two or more unrelated employers as defined in ERISA section 3(40)(A).⁷
- **Non-Plan MEWA:** A MEWA that does not meet the ERISA definition of an “employee welfare benefit plan” under section 3(1) of ERISA. Typically, Non-Plan MEWAs cover a collection of separate employee welfare benefit plans maintained by individual employers.
- **Participant:** ERISA section 3(7) defines “participant” as “any employee or former employee of an employer, or any member or former member of an employee organization, who is or may become eligible to receive a benefit of any type from an employee benefit plan.”
- **Plan MEWA:** A MEWA that meets the ERISA definition of “employee welfare benefit plan” under section 3(1) of ERISA.⁸
- **Plan Number (PN):** The PN is a three-digit number that is self-assigned by the plan administrator for the entity. The PN is reported in Part II 1d to distinguish among different plans that use the same EIN.

⁵ See Form M-1 Report for MEWAs and ECEs, <https://www.dol.gov/sites/dolgov/files/ebsa/employers-and-advisers/plan-administration-and-compliance/reporting-and-filing/forms/m1-2021.pdf>

⁶ See 29 C.F.R. § 2590.701-2, <https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XXV/subchapter-L/part-2590/subpart-B/section-2590.701-2>.

⁷ See 29 U.S.C. § 1002(40). Section 3(40) sets forth certain exceptions from this definition.

⁸ See 29 U.S.C. § 1002(1).

- **Professional Employer Organization (PEO):** An organization that contracts with client employers to provide a range of human resource management, payroll, administrative, and employee benefit services to client employers and the employees of the client employers. A PEO plan or arrangement that offers or provides health coverage to employees of two or more client employers, or employees of both the PEO and one or more client employers, is a MEWA under Section 3(40) because it offers or provides benefits to employees of two or more employers.⁹
- **Statistical Year:** The 2021 Statistical Year refers to the specific time period of filings included in this bulletin. The time period criteria are slightly different for the annual vs. non-annual report filings, because timing requirements for filings vary depending on the specific filing purpose.
 - For “Began Operating” or other registration, origination, or special filings, the reference period is all filings submitted during calendar year 2021.
 - For annual reports, an entity has a 2021 Statistical Year if it files for the January 1 to December 31, 2021, time frame, which would be appropriate for entities with a calendar year plan year or for entities that operate on a fiscal year but choose to report on a calendar year basis.¹⁰

For entities that choose to report on their specific fiscal year, they are considered a 2021 Statistical Year filer if they operate for at least 6 continuous months in 2021. The following table shows examples of potential operating years and the associated statistical year.

If, for example, the entity follows:	Then the statistical year is:
Calendar Year Jan. 1–Dec. 31, 2021	2021
Fiscal Year Apr. 1, 2020–Mar. 31, 2021	2020
Fiscal Year July 1, 2020–June 30, 2021	2021
Fiscal Year Apr. 1, 2021–Mar. 31, 2022	2021

Because Form M-1 Annual Reports are required for all MEWAs that provide medical benefits and some ECEs (depending on the origination event date), the annual report statistics for the 2021 Statistical Year give an indication of the number of entities that actively provided benefits for 6 continuous months or more during the period from January 1 to December 31, 2021.

- **Underlying Events:** Refers to certain events that more specifically describe what prompts an entity to submit a MEWA Registration, ECE Origination, or ECE Special Filing. Filers are asked to provide information about these underlying events when submitting the Form M-1. The possible events are:
 - (1) began operating
 - (2) began operating in any additional state
 - (3) merged with another MEWA/ECE
 - (4) 50 percent greater increase in participants receiving medical benefits; and
 - (5) material change.

⁹ See Multiple Employer Welfare Arrangements under the Employee Retirement Income Security Act (ERISA): A Guide to Federal and State Regulation, <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/publications/mewa-under-erisa-a-guide-to-federal-and-state-regulation.pdf>.

¹⁰ See Form M-1 Report for MEWAs and ECEs, <https://www.dol.gov/sites/dolgov/files/ebsa/employers-and-advisers/plan-administration-and-compliance/reporting-and-filing/forms/m1-2021.pdf>, Section 2: When to file, pg. 8.

INTRODUCTION

Multiple employer welfare arrangements (MEWAs) are entities that offer or provide welfare benefits (for example, health, disability, or life insurance benefits) to the employees of two or more employers (including one or more self-employed individuals), or to their beneficiaries. However, the term does not include any such plan or other arrangement that is established or maintained under or pursuant to one or more agreements that the Secretary finds to be collective bargaining agreements, by a rural electric cooperative, or by a rural telephone cooperative association.¹¹ Administrators of MEWAs that provide medical benefits must electronically file the Form M-1 with the Department of Labor (the Department) annually and following certain events, such as expansion into a new state, regardless of whether the entity is a group health plan.

An entity claiming exception (ECE) is an entity that claims it is not a MEWA on the basis that the entity is established or maintained pursuant to one or more agreements that the Secretary of Labor (the Secretary) finds to be collective bargaining agreements.¹² Administrators of ECEs that provide medical benefits must file for the first 3 years after origination events, which include beginning operations, participant increases of 50 percent or more, or mergers with other entities. ECE administrators must also file to indicate expansion into a new state or other material change, if those occur within the 3-year filing period.¹³

Form M-1 reporting is required under the authority of sections 101(g), 104(a), 505, and 734 of ERISA, as amended, and 29 C.F.R. §§ 2520.101-2 and 103-1. The Form M-1 collects important information about individuals and entities that are responsible for:

1. sponsoring or managing operations of MEWAs or ECEs that offer medical benefits, and
2. providing services to a MEWA or ECE that offers medical benefits, including benefits administration, actuarial services, and asset management services.

Information provided through the Form M-1 includes custodial and financial information, the number of participants covered, the states the entity operates in, insurance carriers, and compliance with various health regulations. Form M-1 reporting provides critically important information that helps both the Department and state insurance regulators protect consumers by identifying new entrants in states, growth in these entities, solvency risks, and other relevant concerns.

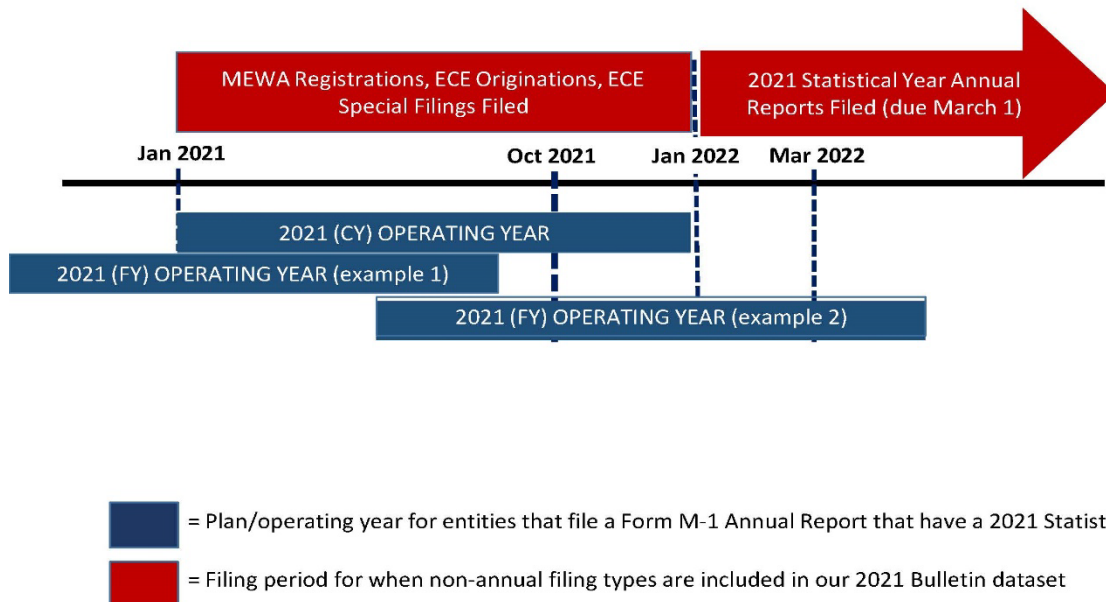
This bulletin provides a snapshot of MEWAs and ECEs that filed the Form M-1 regarding Statistical Year 2021. Beginning with the 2018 Form M-1 Bulletin, the Department has used a consistent methodology for defining the filing time period covered by the bulletins, which means that statistics presented in the Department's Form M-1 bulletins since that time can be compared. Figure 1 below depicts the filing periods for the 2021 Statistical Year Form M-1 filings using the current methodology.

¹¹ See section 3(40) of the Employee Retirement Income Security Act of 1974 (ERISA).

¹² Under section 3(40)(A)(i) of ERISA, the term MEWA does not include any plan or arrangement that is established or maintained under or pursuant to one or more such collective bargaining agreements. The Department issued a regulation setting forth criteria that represent a finding by the Secretary whether an arrangement is an employee welfare benefit plan established or maintained under or pursuant to one or more collective bargaining agreements. See 29 C.F.R. § 2510.3-40.

¹³ If an ECE undergoes an origination event (began operating, 50 percent increase in covered enrollees, or merger), a new 3-year filing period starts.

Figure 1: Filing Periods Captured by the 2021 Form M-1 Bulletin



A 2021 Form M-1 Annual Report, though filed in 2022, provides information about the 2021 operating year for MEWAs and ECEs. For consistency, this bulletin reports on registration, origination, and special filing events that occurred during the 2021 operating year (see Section I: Total Filings, Number of Filings, and Filing Purposes for more information about the required timing of these filing events).

For example, if a MEWA had a 50 percent or greater increase in participants in June of its 2021 operating year, the MEWA would be required to notify the Department of this change within 30 days of it occurring. This means a registration filing would need to occur no later than July 2021. By limiting special filing event filings to those submitted during 2021, this bulletin captures the activity of entities with a 2021 Statistical Year.

The Form M-1 filings required by entities that express an intent to begin operations are harder to link directly to the activity of entities that are operating during 2021. “Began Operating” filings (as they are referred to throughout the report) are not required to indicate on the Form M-1 when the entity will begin offering health benefits. Therefore, the timing of the filing is only an approximation of when an entity will begin its operating year. However, information about MEWAs and ECEs that are newly forming are included in this report, with the criteria that they submitted their “Began Operating” filing during calendar year 2021.

Because a unique MEWA or ECE may submit multiple Form M-1s in a single year, looking only at the number of filings or most recent filings might overstate the number of these entities and mask changes in their funding type, state distributions, and the number of participants. Also, because ECEs are not required to file every year, this bulletin significantly understates the total number of ECEs and participants in entities that qualify as ECEs. The Department makes clear in this bulletin when it has deviated from simply reporting filings.

All sections of this bulletin present statistics about the Statistical Year 2021 Form M-1 filing population. Section I presents the total number of filings and the number of unique entities. Section II focuses on entities that indicated they began operating. Section III presents information on MEWA Registrations, ECE Originations, ECE Special Filings, and entities indicating material changes. Section IV describes annual reports, including information on service providers, funding, participant counts, and Form 5500 matches.

SECTION I: TOTAL FILINGS

The different types of entities that are required to file the Form M-1—Plan MEWAs, Non-Plan MEWAs, and certain ECEs¹⁴—have different requirements for filing. Administrators of MEWAs that provide medical benefits must file the Form M-1 annually. The administrator of an ECE that provides medical benefits must file the Form M-1 in each of the first 3 years after the ECE originates. Additional filings for either MEWAs or ECEs might be required due to structural changes, expansion into new states, substantial changes in the number of participants, switching service providers, or other material changes.

In Statistical Year 2021, there were 932 Form M-1 filings, almost a 1 percent increase from Statistical Year 2020. Plan MEWAs submitted the vast majority (nearly 92 percent) of total filings, while Non-Plan MEWAs and ECEs represented 8 percent of filings. From 2020 to 2021, filings by Plan MEWAs increased by nearly 1 percent, while filings for Non-Plan MEWAs decreased by 7 percent. See Table 2B in [Appendix B](#).

Table 2: Form M-1 Filings by Entity Type, Total Filings for Statistical Year 2021

Entity Type	Filing Count	Share
Plan MEWA	854	91.6%
Non-Plan MEWA	65	7.0%
ECE	13	1.4%
Total	932	100.0%

NUMBER OF FILINGS AND FILING PURPOSES

While there are several different events that require filing the Form M-1, a single filing may be submitted for multiple filing purposes in cases in which the single filing can be made in accordance with the timing requirements for each purpose. This situation can occur, for instance, if an entity is submitting its annual report and has also changed service providers.

All MEWAs and certain ECEs that provide medical benefits are required to file a Form M-1 Annual Report.¹⁵ In addition to the annual report filing requirement, MEWAs also must file the Form M-1:

1. Thirty days prior to operating in any state.
2. Within 30 days of knowingly operating in any additional state or states that were not indicated on a previous Form M-1 filing.
3. Within 30 days of operating with regard to the employees of an additional employer (or employers, including one or more self-employed individuals) after a merger with another MEWA.

¹⁴ See 29 C.F.R. § 2510.3–40.

¹⁵ For a general discussion of the filing requirements, see Multiple Employer Welfare Arrangements under the Employee Retirement Income Security Act (ERISA): A Guide to Federal and State Regulation, <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/publications/mewa-under-erisa-a-guide-to-federal-and-state-regulation.pdf>.

4. Within 30 days of increasing the number of employees receiving medical coverage by at least 50 percent relative to the number of such employees on the last day of the previous calendar year.
5. Within 30 days of experiencing a material change as defined in the Form M-1 instructions.

Administrators of ECEs are required to submit the Form M-1:

1. Thirty days prior to operating.
2. Within 30 days of operating following a merger with another ECE (unless all of the ECEs that participate in the merger originated at least 3 years prior to the merger).
3. Within 30 days of increasing the number of employees receiving medical coverage by at least 50 percent relative to the number of such employees on the last day of the previous calendar year (unless the increase is due to a merger with another ECE and all merging ECEs originated at least 3 years prior to the merger).

The second and third events listed above will extend or restart the 3-year filing period for ECEs. If either event occurs, then an ECE must file the Form M-1 even if it falls outside of the 3-year period.

ECEs must also update the Form M-1 within 30 days of experiencing a special filing event, which is defined as a material change or knowingly beginning to operate in any additional state. Only these special filing events that occur during the 3-year origination period need to be reported on the Form M-1, and their occurrence does not restart the 3-year filing period clock.

Part I Question A of the Form M-1 asks filers to identify the purpose or type of filing, for which there are four possible responses—annual report, MEWA Registration, ECE Origination, and ECE Special Filing. As shown in Table 3, the majority of all filings were submitted with the purpose of fulfilling the annual reporting requirement. From Statistical Year 2020 to Statistical Year 2021, the number of annual reports, ECE Originations, and ECE Special Filings increased by nearly 3 percent, 60 percent, and nearly 13 percent, respectively, while MEWA Registrations declined by 17 percent. See Table 3B in the [Appendix B](#).

Table 3: Form M-1 Filings by Filing Purpose, Total Filings for Statistical Year 2021

Filing Purpose	Filing Count	Share
Annual Report	815	87.4%
MEWA Registration	101	10.8%
ECE Origination	8	0.9%
ECE Special Filing	9	1.0%

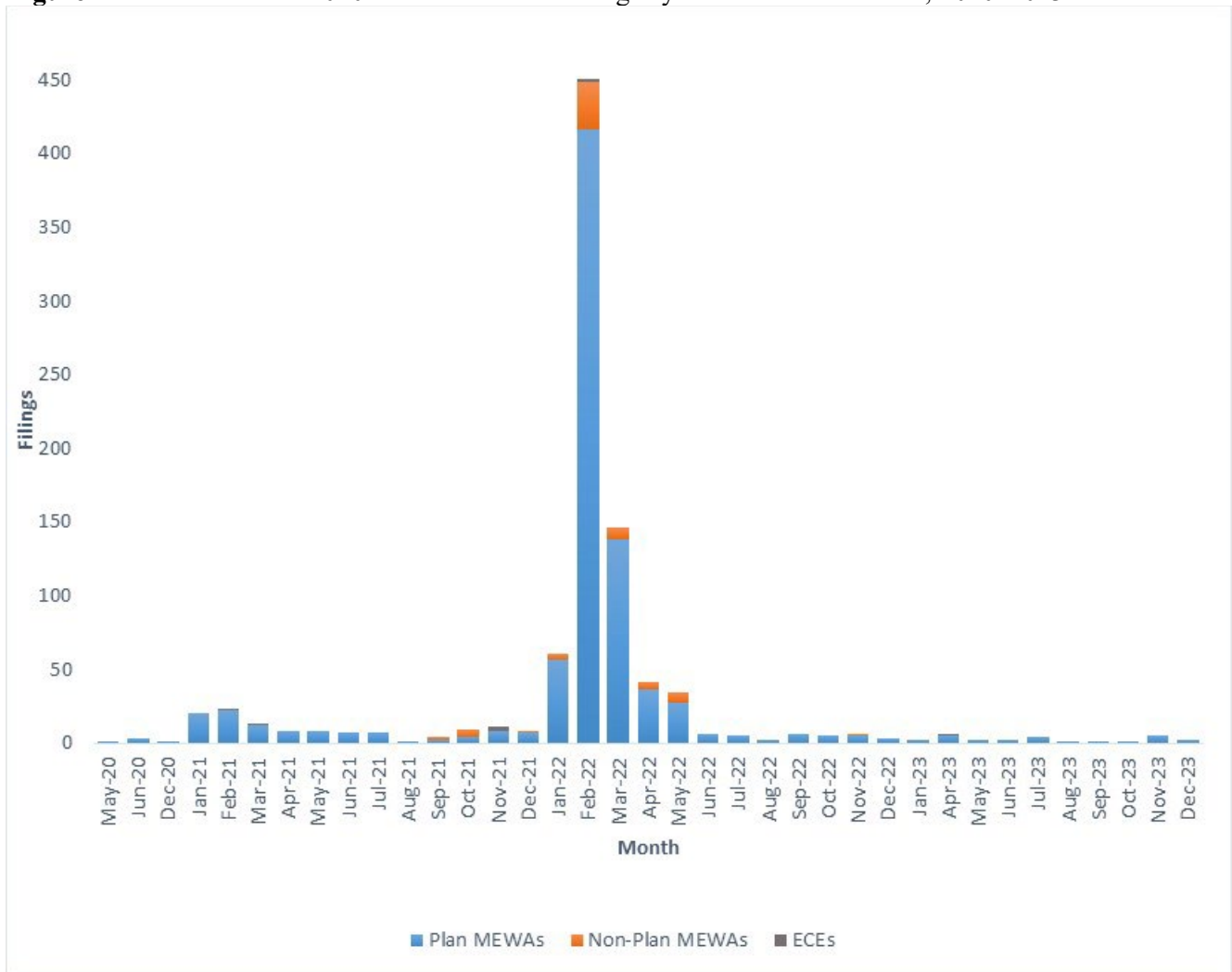
There are several other filing purposes not listed in Table 3 that may be indicated on a Form M-1 submission, but these are always done in conjunction with one of the four purposes described above. Specifically, a MEWA or ECE may file an amended report if errors need to be corrected from a previously filed Form M-1, file a request for a one-time extension, or signify that the filing is a final report if the administrator does not intend to file the Form M-1 next year. Included in this report are 50 filings that checked “amended” and 45 that checked “extension.” The vast majority of extensions are associated with annual reports and are filed in February or March.

The Department has determined that a significant number of filers indicate a submission is a final report while continuing to file in subsequent years. Because of the ambiguity in the final report numbers, the Department did not include statistics on the final report numbers in this bulletin.

TIMING OF FILINGS

Figure 2 displays the submission months for all 2021 Statistical Year Form M-1 filings, the vast majority of which were submitted between February and March of 2022.¹⁶

Figure 2: Statistical Year 2020 Form M-1 Total Filings by Month of Submission, 2020–2023



Note: Months with zero filings are omitted from the above figure.

¹⁶ Since annual reports comprise the majority of all filings and are due March 1 of the calendar year following the year for which a filing is required, annual reports are a major driver of total filing trends.

UNIQUE FILERS

Due to the existence of multiple filings by individual entities, looking only at the number of Form M-1 filings per plan year overstates the universe of MEWAs and ECEs. In order to better estimate the number of unique MEWAs and ECEs, the Department developed a phased methodology to match filings across 2021 and identify “unique entities.”

The Department relied on a combination of four key variables—EIN, PN, Entity Name, and Entity Address—to match across filings. While the Department largely relied on this methodology to automatically generate matches, it used manual review in instances where there was ambiguity. For more details on the Entity Identification process, please see [Appendix A](#).

Table 4 displays the number of filings submitted for each unique entity, shown by entity type. While the vast majority of entities submitted a single filing, six Plan MEWAs submitted four Form M-1s for Statistical Year 2021. Plan MEWAs submitted the most filings, 701, with 82 percent of Plan MEWAs submitting one filing, 15 percent submitting two, and 3 percent submitting three or more times.

Among the 50 Non-Plan MEWAs that filed, 70 percent submitted one filing, while the remaining submitted two. ECEs filed the least: eight entities, with nearly 38 percent filing once and almost 63 percent filing twice.

Table 4: Unique Entities by Number of Filings, Total Filings for Statistical Year 2021

Entity Type	Filings				Total
	1	2	3	4	
Plan MEWA	575 (82.0%)	105 (15.0%)	15 (2.1%)	6 (0.9%)	701 (100.0%)
Non-Plan MEWA	35 (70.0%)	15 (30.0%)	0 (0.0%)	0 (0.0%)	50 (100.0%)
ECE	3 (37.5%)	5 (62.5%)	0 (0.0%)	0 (0.0%)	8 (100.0%)
Total	613	125	15	6	759

Note: Percentages will not total 100% due to rounding.

For Statistical Year 2021, a total of 759 unique entities submitted the Form M-1, a 2 percent increase from Statistical Year 2020. Plan MEWAs were the most common entity type, representing 92 percent of all entities filing the Form M-1. This finding is consistent with the distribution of filings, suggesting that the different types of entities filed in a proportionate manner. Non-Plan MEWAs were the next largest type of entity, with almost 7 percent, and ECEs represented 1 percent of all entities.

From Statistical Year 2020 to Statistical Year 2021, Plan MEWAs increased by 2 percent, while Non-Plan MEWAs remained unchanged. See Table 5B in [Appendix B](#).

Table 5: Unique Entities by Entity Type, Total Filings for Statistical Year 2021

Entity Type	Entity Count	Share
Plan MEWA	701	92.4%
Non-Plan MEWA	50	6.6%
ECE	8	1.1%
Total	759	100.0%

Note: Percentages will not total 100% due to rounding.

HEADQUARTERS BY STATE

While entities may operate in multiple states, the Form M-1 requires administrators to report the name and address of the MEWA or ECE, which the Department interprets as the entity’s headquarters. Table 6 displays the top headquartered states by entity type, and Figure 3 displays a map of unique entities headquartered in each state. California, Washington state, and Texas continued to have the most MEWA and ECE headquarters in Statistical Year 2021. Washington state had the most Plan MEWAs, while New York had the most Non-Plan MEWAs.¹⁷ See Table 3A in [Appendix A](#) for further details and a full list of states.

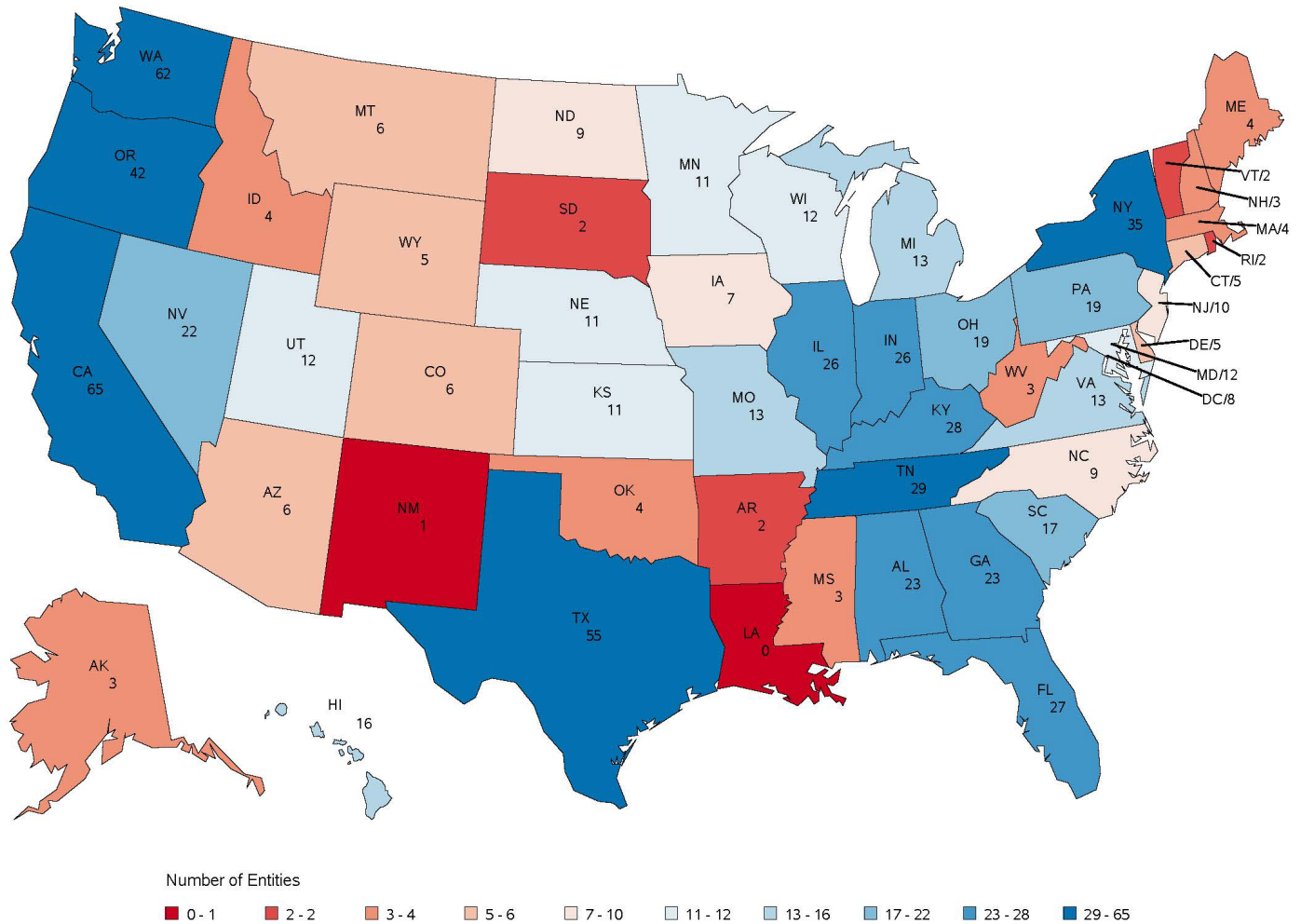
The list of top headquartered states for Statistical Year 2021 is similar to those in Statistical Year 2020. Of the top headquartered states, California and Kentucky were the only states with declines in Plan MEWAs from Statistical Year 2020. California was the only state with ECE headquarters. See Table 6B in [Appendix B](#).

Table 6: Top Headquartered States by Entity Type, Total Filings for Statistical Year 2021

State	Plan MEWA	Non-Plan MEWA	ECE	Total
California	53	6	6	65
Washington	62	0	0	62
Texas	51	4	0	55
Oregon	42	0	0	42
New York	24	11	0	35
Tennessee	28	1	0	29
Kentucky	27	1	0	28
Florida	26	1	0	27
Illinois	26	0	0	26
Indiana	25	1	0	26

¹⁷ Because ECEs generally do not have to file after their first 3 years, the most commonly headquartered states for ECEs only represent the filings that were submitted for Statistical Year 2021.

Figure 3: Entity Headquarters by State, Total Filings for Statistical Year 2021



Administrators are also required to list all states where the employers (of the employees receiving coverage) are domiciled and indicate whether a state is “new” to this entity (i.e., not included on a previous Form M-1 filing). The “new state” filing indicator occurs on both newly formed MEWAs as well as existing MEWAs expanding operation into new states. The data from this attribute can be of particular interest to researchers and regulators as it may indicate expansion into new markets.

Some entities filing to begin operations might include all states that they intend to have a presence in but may not ultimately operate in all states listed. Entities might also neglect to check the “new state” box when submitting their filings, though the Form M-1 instructions require it. As such, this reporting might not accurately reflect the number of states that MEWAs and ECEs expanded into during Statistical Year 2021.

Table 7 shows the top states with entities that indicated “new state,” while Figure 4 displays all the states where entities checked “new state.” More entities indicated operating in a new state in Statistical Year 2021 than Statistical Year 2020. Of the 759 unique entities, 177 (23 percent) indicated operating in a new state in

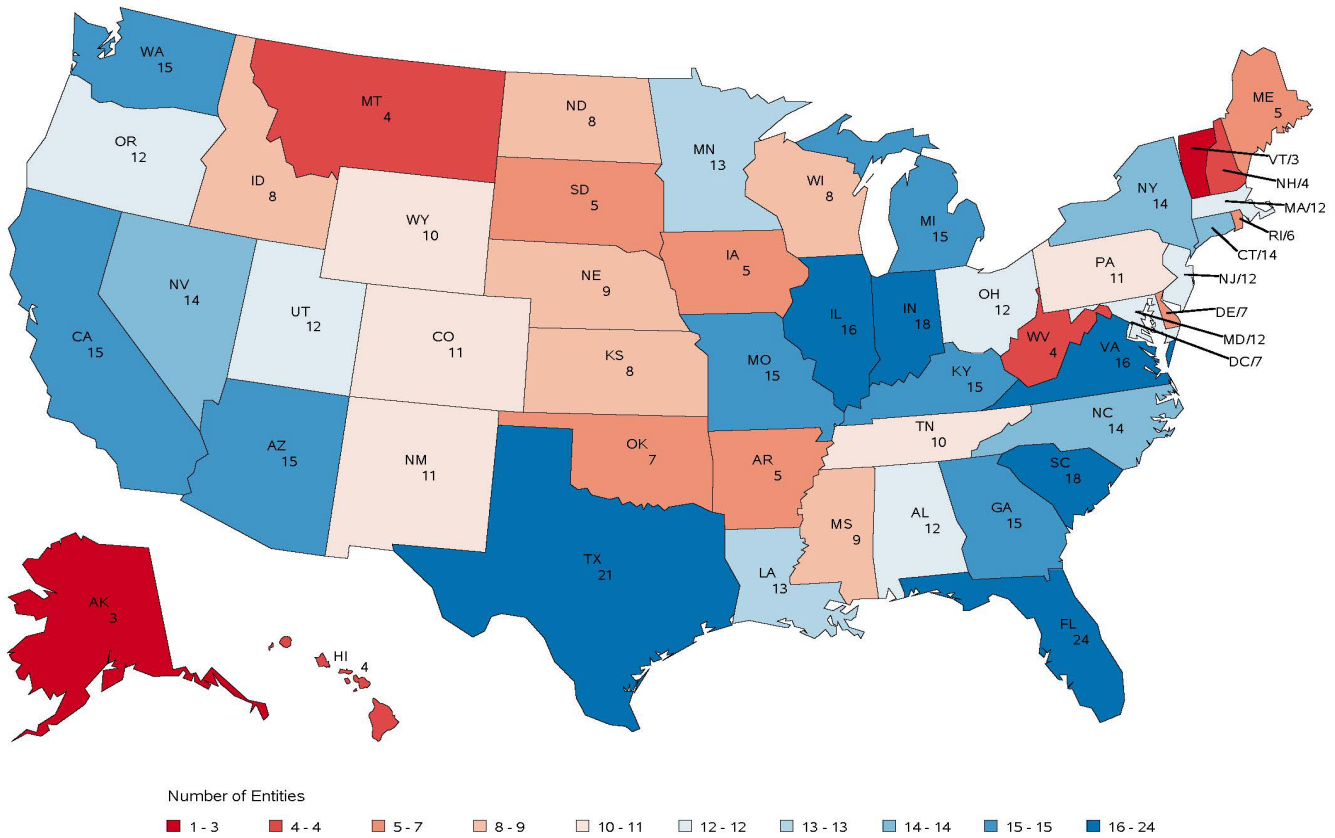
2021, with Florida having the most entities indicating “new state.”¹⁸ In 2020, of the 743 unique entities, 88 (12 percent) indicated operating in a new state, with Nevada having the most entities indicating “new state”. Statistical Year 2021 also reveals a shift in the top states with entities indicating “New State” when compared to 2020. California and Kentucky are the only states that made the list of top states in 2020 and 2021. See Table 7B in [Appendix B](#).

Table 7: Top States of Entities Indicating “New State” by Entity Type, Total Filings for Statistical Year 2021

State	Plan MEWA	Non-Plan MEWA	ECE	Total
Florida	21	3	0	24
Texas	17	2	2	21
Indiana	17	1	0	18
South Carolina	16	2	0	18
Illinois	14	2	0	16
Virginia	14	1	1	16
Arizona	13	2	0	15
California	13	2	0	15
Georgia	12	3	0	15
Kentucky	13	2	0	15
Michigan	13	2	0	15
Missouri	13	2	0	15
Washington	14	1	0	15

¹⁸ Because Table 7 accounts for all the occurrences of “new state” boxes being checked, there will be considerably more check boxes than there are entities that check the “new state” box at least once. This is due to some entities indicating that they are newly operating in more than one state.

Figure 4: Entities Indicating “New State,” Total Filings for Statistical Year 2021



PARTICIPANTS

The Form M-1 requires entities to report the total number of participants receiving medical benefits. In the case of multiple filings, the reported information might indicate growth or decline in MEWA or ECE participation. In this section, the Department counted the largest number of participants reported on all entities’ Statistical Year 2021 filings.¹⁹ See [Appendix A](#) for further details.

During Statistical Year 2021, MEWAs and ECEs reported 2,760,293 participants, an increase of 3 percent from Statistical Year 2020.²⁰ Plan MEWAs, which comprise nearly 92 percent of filings and include Professional Employer Organizations (PEOs), accounted for nearly 88 percent of reported participants. The average Plan MEWA reported 3,445 participants. Excluding the four largest Plan MEWAs, which the Department determined to be PEOs by researching publicly available information about the entities, the average Plan MEWA had 2,109 participants.

¹⁹ In contrast, Section IV: Annual Reports presents the number of participants reported in the annual filing, the total of which is slightly lower than the largest participant count reported on all entities’ Form M-1 filings included in the Statistical Year 2021.

²⁰ The participant count is determined using the largest number of participants reported on all entities’ Form M-1 filings in a given year.

Non-Plan MEWAs reported fewer total participants than Plan MEWAs but tended to be the largest entities, with an average size of 6,701 participants, almost twice as many participants as the average Plan MEWA. In 2021, filings indicate that, on average, Non-Plan MEWAs were the largest entities, followed by Plan MEWAs, and then ECEs. See Table 8B in [Appendix B](#).

Table 8: Total Participants by Entity Type and Size, Total Filings for Statistical Year 2021

Entity Type	Entity Counts	Participant Counts	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	701	2,414,652	87.5%	3,445	652	0	336,194
Non-Plan MEWA	50	335,059	12.1%	6,701	1,673	0	47,287
ECE	8	10,582	0.4%	1,323	334	30	6,039
Total	759	2,760,293	100.0%	3,637	687	0	336,194

SECTION II: “BEGAN OPERATING” FILINGS

NUMBER OF FILINGS AND FILING PURPOSES

A MEWA or ECE must submit a Form M-1 filing that indicates its intent to begin operating 30 days prior to the event. This filing alerts the Department and state insurance regulators to new entrants into insurance markets, which can give states and regulators time to communicate with these new entities before they begin operation. The statistics presented throughout this section concern only entities that indicated an intent to begin operating in a filing submitted in 2021.

Plan MEWAs submitted nearly 88 percent of the 57 filings indicating an intent to begin operations during Statistical Year 2021. “Began Operating” filings decreased by nearly 14 percent from Statistical Year 2020, with filings by Plan MEWAs decreasing by 23 percent. Filings by Non-Plan MEWAs and ECEs increased from 2020 to 2021, from one to two for Non-Plan MEWAs and from zero to five for ECEs. ECEs comprised nearly 9 percent of these filings, while Non-Plan MEWAs made up nearly 4 percent. See Table 9B in [Appendix B](#).

Table 9: Form M-1 Filings by Entity Type, “Began Operating” Filings for Statistical Year 2021

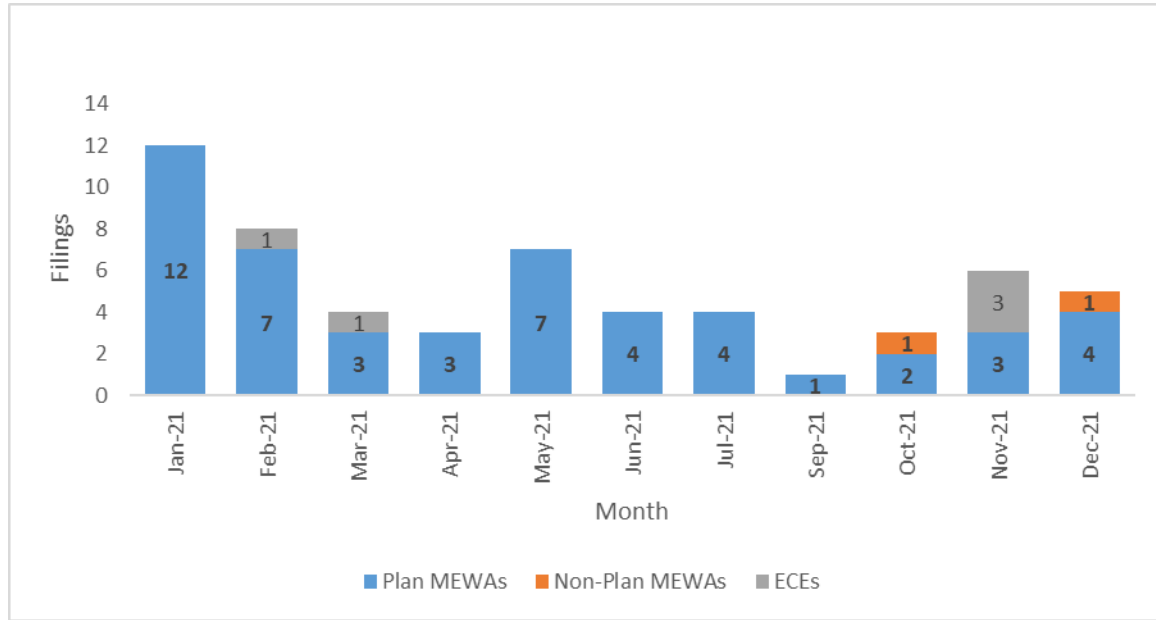
Entity Type	Filing Count	Share
Plan MEWA	50	87.7%
Non-Plan MEWA	2	3.5%
ECE	5	8.8%
Total	57	100.0%

TIMING OF FILINGS

Although the filing time period for this bulletin’s “Began Operating” filings was January 1 through December 31, 2021, this section looks more closely at which months entities submitted these “Began Operating” filings. The Department expects entities to submit these filings 30 days before an entity begins its operating year. Because the majority of entities operate from January 1 to December 31, the Department expects that most newly formed entities should register as “Began Operating” no later than December 1 of the prior year.

Figure 5 shows the distribution of the “Began Operating” subset of registration and origination filings for Statistical Year 2021. January, February, and May had the most “Began Operating” filings, most of which were Plan MEWAs -- 52 percent of all Plan MEWA “Began Operating” filings were filed in these months. Two Non-Plan MEWA filings with this underlying reason were submitted in October and December. More ECEs began operating in the month of November than in any other month.

Figure 5: Entity Type by Month of Submission, “Began Operating” Filings for Statistical Year 2021



UNIQUE FILERS

Table 10 displays the number of unique entities that indicated “Began Operating” in their filings. Plan MEWAs submitted the most of these types of filings, with all but five of the 42 entities submitting one filing. Of the two Non-Plan MEWAs and five ECEs which submitted filings that indicated “Began Operating,” all submitted just one filing each.

Table 10: Unique Entities by Number of Filings, “Began Operating” Filings for Statistical Year 2021

Entity Type	Filings			Total
	1	2	3	
Plan MEWA	37 (88.1%)	2 (4.8%)	3 (7.1%)	42 (100.0%)
Non-Plan MEWA	2 (100.0%)	0 (0.0%)	0 (0.0%)	2 (100.0%)
ECE	5 (100.0%)	0 (0.0%)	0 (0.0%)	5 (100.0%)
Total	44	2	3	49

For Statistical Year 2021, a total of 49 unique entities submitted filings indicating “Began Operating,” a 23 percent decrease from Statistical Year 2020. Plan MEWAs were the most common entity type, representing nearly 86 percent of these filings, with ECEs representing 10 percent, and Non-Plan MEWAs with 4 percent. See Table 11B in [Appendix B](#).

Table 11: Unique Entities by Entity Type, “Began Operating” Filings for Statistical Year 2021

Entity Type	Entity Count	Share
Plan MEWA	42	85.7%
Non-Plan MEWA	2	4.1%
ECE	5	10.2%
Total	49	100.0%

HEADQUARTERS BY STATE

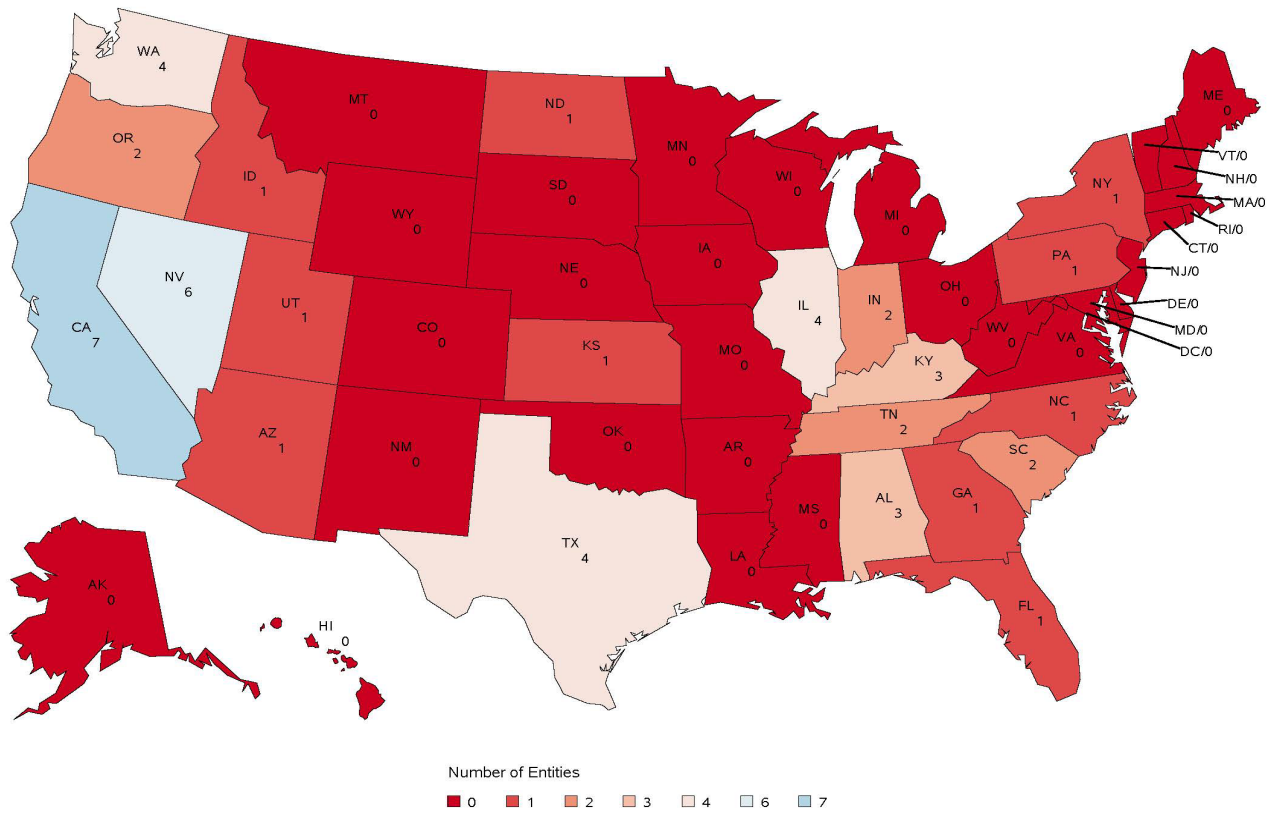
Table 12 displays the top headquartered states by entity type for “Began Operating” filings. Nevada had the most Plan MEWA headquarters in Statistical Year 2021, while California had the only Non-Plan MEWA headquarters and the most ECEs out of the top 7 states.

Table 12: Top Headquartered States by Entity Type, “Began Operating” Filings for Statistical Year 2021

State	Plan MEWA	Non-Plan MEWA	ECE	Total
California	1	1	5	7
Nevada	6	0	0	6
Illinois	4	0	0	4
Texas	4	0	0	4
Washington	4	0	0	4
Alabama	3	0	0	3
Kentucky	3	0	0	3

Figure 6 displays the state headquarters of entities that submitted a “Began Operating” filing in Statistical Year 2021. Twenty-one states were home to entities that filed a “Began Operating” filing in Statistical Year 2021, with California and Nevada most frequently reported.

Figure 6: Entity Headquarters by State, “Began Operating” Filings for Statistical Year 2021



SECTION III: REGISTRATION, ORIGATION, AND SPECIAL FILINGS

NUMBER OF FILINGS AND FILING PURPOSES

After annual reports, the second most common purpose for filing the Form M-1 was MEWA Registrations (nearly 11 percent) while the third most common was ECE Special Filings (1 percent). MEWAs and ECEs are required to submit a registration, origination, or special filing in the event of a merger, expansion into a new state, a 50 percent or more increase in participants, or other material changes.

This section presents statistics on all MEWA Registrations, ECE Originations, and ECE Special Filings. “Began Operating” filings, while technically a subset of registrations and originations, are discussed separately in Section II and are not included in the statistics throughout the Section III tables because these types of filings represent a significantly different stage in the life of a MEWA/ECE (using the Form M-1 to express an intent to operate, rather than to report on a change for an existing entity).

When submitting non-annual report filings, administrators are instructed to specify which event has triggered the filing requirement.²¹ The Form M-1 groups the events into MEWA Registrations, ECE Originations, and ECE Special Filings (for a screenshot of this section of the Form M-1, see [Appendix A](#)). Table 13 displays the possible responses under each filing purpose. This section refers to the specific information requested about the reason for filing a registration, origination, or special filing as the “underlying event.”

Table 13: Underlying Event Possibilities for Each Filing Purpose on the Form M-1

Type of Filing	Material Change	Began Operating in Additional State	50% Increase in Covered Employees	Merger
MEWA Registrations	✓	✓	✓	✓
ECE Originations			✓	✓
ECE Special Filings	✓	✓		

In Statistical Year 2021, Plan MEWAs and Non-Plan MEWAs submitted a total of 63 registrations, originations or special filings, a decline of 17 percent from Statistical Year 2020.²² Plan MEWAs submitted 57 filings, 8 percent fewer filings than in 2020, and Non-Plan MEWAs submitted 6 filings, 50 percent less than in 2020. ECEs submitted none. Of the share of registration filings, Plan MEWAs accounted for the majority at nearly 91 percent, with Non-Plan MEWAs accounting for nearly 10 percent of filings. See Table 13B in [Appendix B](#).

²¹ The Department determined that some of the filings provide a combination of underlying filing events that do not appear to be consistent (e.g., a MEWA Registration filed for Began Operating and a 50 percent increase in participants). Reported events in Table 15 appear as in the filings with no revisions.

²² This decline doesn’t include “Began Operating” filings. If “Began Operating” filings were included, the decline would be nearly 22 percent.

Table 14: Form M-1 Filings by Entity Type, MEWA Registrations, ECE Originations and Special Filings for Statistical Year 2021

Entity Type	Filing Count	Share
Plan MEWA	57	90.5%
Non-Plan MEWA	6	9.5%
ECE	0	0.0%
Total	63	100.0%

Note: Excludes filings that indicated “Began Operating.”

The Form M-1 does not ask filers to specify the exact material change that prompted the need to file. However, the Form M-1 instructions provide that reasons can include anything that has changed regarding the custodial or financial information for the entity.

Table 15 displays the prevalence of the reported underlying events for registration, origination, and special filings, by entity type. Among MEWA filings in Statistical Year 2021, “material change” was the most common event to require a registration filing, followed by “began operating in additional states,” and “50% increase in covered employees.” In 2021, Plan MEWAs and Non-Plan MEWAs experienced declines in all of the most common underlying events referenced above. See Table 15B in [Appendix B](#).

Table 15: Registration, Origination, and Special Filings by Entity Type and Underlying Events, for Statistical Year 2021²³

Entity Type	Material Change	Began Operating in Additional State	50% Increase in Covered Employees	Merger
Plan MEWA	13	14	5	0
Non-Plan MEWA	6	0	0	0
ECE	0	0	0	0
Total	19	14	5	0

Note: Excludes filings that indicate “Began Operating.”

²³ Because some registration, origination, and special filings do not indicate an underlying event, the totals from Table 14 and Table 15 will not match.

TIMING OF FILINGS

The Department requires entities to submit registration and origination filings within 30 days of a merger, a 50 percent or more increase in the employees covered since the prior calendar year, knowingly operating in a new state, or another material change. These filings may occur throughout the year, as shown in Figure 7, but for Statistical Year 2021, MEWA Registrations were more likely to occur in the months of January, February, and March.

Figure 7: Form M-1 Filings by Month of Submission, MEWA Registrations, ECE Originations, and ECE Special Filings for Statistical Year 2021²⁴



Note: Excludes filings that indicated “Began Operating.”

UNIQUE FILERS

While the majority of entities submitted a single filing indicating registration, one Plan MEWA submitted five Form M-1s for Statistical Year 2021. Plan MEWAs submitted 42 of the 48 filings, with 76 percent of Plan MEWAs submitting one filing, nearly 17 percent submitting two, and 7 percent filing three or more times. All Non-Plan MEWAs submitted a single filing, while ECEs submitted none.

²⁴ Figure 7 represents the filings that checked MEWA Registration, ECE Origination, and/or ECE Special Filing; it is not based on entity type. For Statistical Year 2021, Table 14 reports no ECEs. However, Figure 7 displays ECE Originations and ECE Special Filings because the filing system permitted entities to select that they were a MEWA and an origination or special filing.

Table 16: Unique Entities by Number of Filings, MEWA Registrations, ECE Originations, and Special Filings for Statistical Year 2021

Entity Type	Filings					Total
	1	2	3	4	5	
Plan MEWA	32 (76.2%)	7 (16.7%)	2 (4.8%)	0 (0.0%)	1 (2.4%)	42 (100.0%)
Non-Plan MEWA	6 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	6 (100.0%)
ECE	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Total	38	7	2	0	1	48

Note: Excludes filings that indicated “Began Operating.”

For Statistical Year 2021, a total of 48 unique entities submitted filings indicating a registration, a 4 percent decrease from Statistical Year 2020. Plan MEWAs were the most common entity type, representing nearly 88 percent of the entities. Non-Plan MEWAs were the next largest type of entity with nearly 13 percent. There were no origination or special filings submitted by ECEs. See Table 16B in [Appendix B](#).

From Statistical Year 2020 to Statistical Year 2021, Plan MEWAs increased by 5 percent. The number of Non-Plan MEWAs and ECEs submitting these types of filings decreased from eight to six and from two to zero, respectively. See Table 17B in [Appendix B](#).

Table 17: Unique Entities by Entity Type, MEWA Registrations, ECE Originations, and Special Filings for Statistical Year 2021

Entity Type	Entity Count	Share
Plan MEWA	42	87.5%
Non-Plan MEWA	6	12.5%
ECE	0	0.0%
Total	48	100.0%

SECTION IV: ANNUAL REPORTS

NUMBER OF FILINGS AND FILING PURPOSES

Annual reports are consistently the most commonly reported purpose for a MEWA or ECE to submit the Form M-1. This section presents statistics on all 2021 Statistical Year Form M-1 filings that indicated filing for the purpose of meeting their annual reporting requirements.

For Statistical Year 2021, 815 filings indicated they were annual reports, up nearly 3 percent from Statistical Year 2020. This increase occurred due to a nearly 3 percent increase in annual reports for Plan MEWAs, while the number of Non-Plan MEWAs remained unchanged.

The vast majority of annual report filings, 92 percent, were for Plan MEWAs, with Non-Plan MEWAs accounting for 7 percent of filings, and ECEs comprising 1 percent. See Table 18B in [Appendix B](#).

Table 18: Form M-1 Filings by Entity Type, Annual Report Filings for Statistical Year 2021

Entity Type	Filing Count	Share
Plan MEWA	750	92.0%
Non-Plan MEWA	57	7.0%
ECE	8	1.0%
Total	815	100.0%

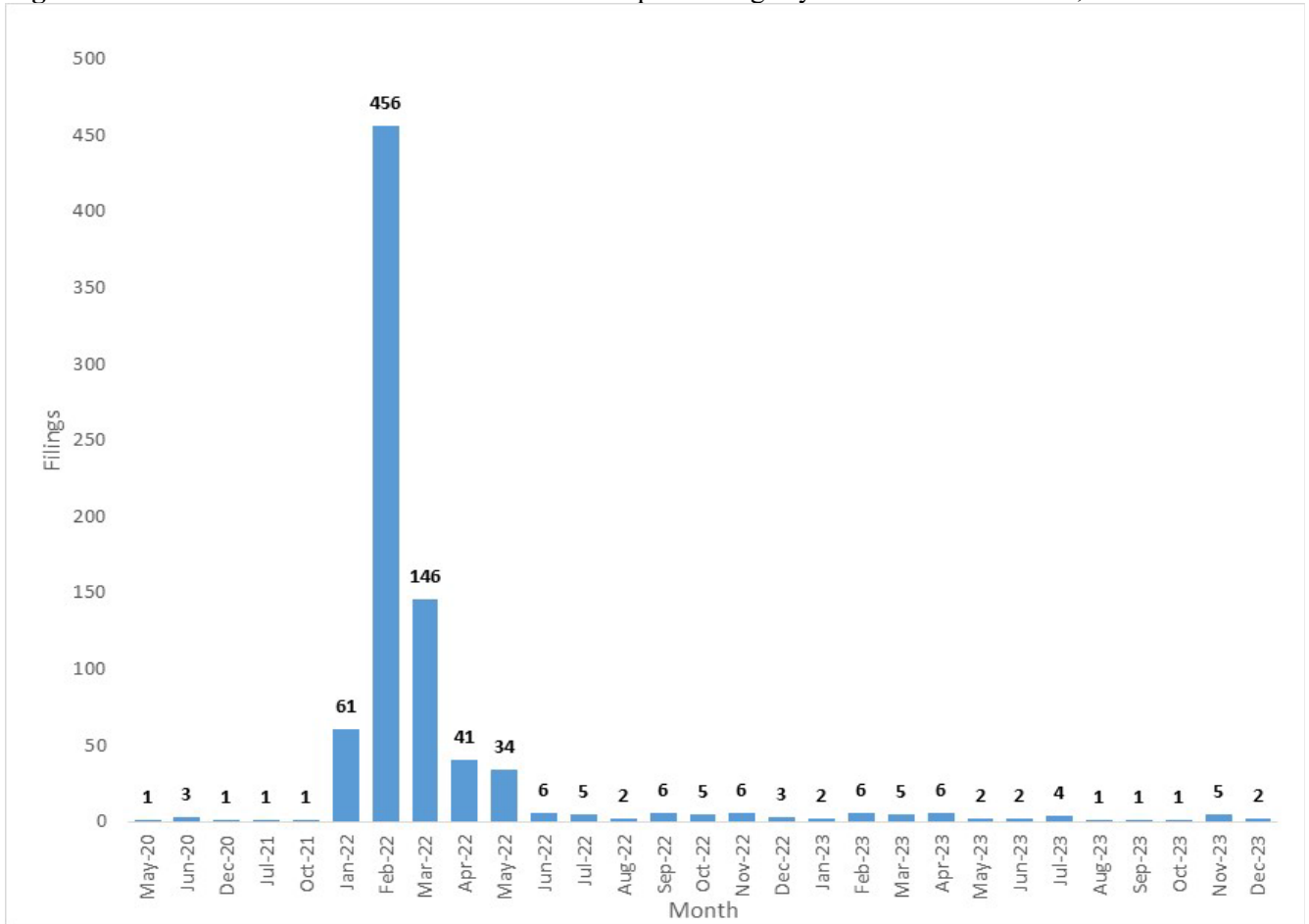
TIMING OF FILINGS

Annual reports are due March 1 of the calendar year following the year for which a filing is required. Therefore, the distribution of filings for a given statistical year is skewed toward February and March of the following year. For Statistical Year 2021, nearly 74 percent of the annual filing submissions occurred during those months in 2021.

Despite the deadline, annual report filings might come in after that due date for various reasons, such as amending a previously submitted report, delinquent reports, etc.²⁵

²⁵ When comparing the 2018, 2019, 2020, and 2021 Annual Reports for February and March, the Department did not see evidence of COVID-19 impacting the timing of filings. MEWAs and ECEs filed 602 Annual Reports (nearly 74 percent of total) in February and March of 2022, an increase from the 554 2020 Annual Reports (70 percent of total) filed during the same months of 2021. MEWAs and ECEs filed 527 2019 Annual Reports (68 percent of total) filed during the same months of 2020, while MEWAs and ECEs filed 488 2018 Annual Reports (63 percent of total) during the same time in 2019. The 2021 Form M-1 Bulletin showed that annual reports in the months of February and March continued to increase, providing further evidence that COVID-19 didn't impact the timing of Form M-1 filings.

Figure 8: Statistical Year 2021 Form M-1 Annual Report Filings by Month of Submission, 2021–2023



Note: Months with zero filings are omitted from the above figure.

UNIQUE FILERS

Generally, entities are expected to submit only one annual report per year. However, some entities indicate “annual report” on multiple filings for a statistical year, which can be attributed to requesting an extension or submitting amended/corrected filings. Even when submitting a request for an extension, filers are required to specify the type of filing for which the extension is being requested. The only way to request an extension is to submit a Form M-1, indicate a filing type (e.g., annual report), and check the box that says, “Check here if this is a request for an extension.” Therefore, these extension filings count toward the filing totals included in this bulletin.

The majority of entities submitted a single annual report for Statistical Year 2021. Unique Plan MEWAs submitted 685 of the 742 filings, with 91 percent submitting one filing, nearly 8 percent submitting two, and nearly 1 percent submitting three times. Of the 49 unique Non-Plan MEWAs, nearly 84 percent submitted a single annual report filing, while the remaining 16 percent filed two times. Eight unique ECEs submitted annual report filings, with all filing only once.

Table 19: Unique Entities by Number of Filings, Annual Report Filings for Statistical Year 2021

Entity Type	Filings			Total
	1	2	3	
Plan MEWA	626 (91.4%)	53 (7.7%)	6 (0.9%)	685 (100.0%)
Non-Plan MEWA	41 (83.7%)	8 (16.3%)	0 (0.0%)	49 (100.0%)
ECE	8 (100.0%)	0 (0.0%)	0 (0.0%)	8 (100.0%)
Total	675	61	6	742

For Statistical Year 2021, a total of 742 unique entities submitted an annual report, a 5 percent increase from Statistical Year 2020. Plan MEWAs were the most common entity type, representing 92 percent of all annual report filers. Non-Plan MEWAs were the next largest entity type at nearly 7 percent, and ECEs represented 1 percent of annual report filers.

From 2020 to 2021, the number of unique Plan MEWAs increased by 5 percent, while Non-Plan MEWAs decreased by 2 percent. See Table 20B in [Appendix B](#).

Table 20: Unique Entities by Entity Type, Annual Report Filings for Statistical Year 2021

Entity Type	Entity Count	Share
Plan MEWA	685	92.3%
Non-Plan MEWA	49	6.6%
ECE	8	1.1%
Total	742	100.0%

FUNDING STATUS

The Form M-1 requires an entity to self-identify its funding status (i.e., fully insured or not fully insured) for each state in which it operates. However, the Form M-1 does not explicitly ask if an entity is self-insured in each state.

An entity that reported being fully insured in all states listed is reported in this bulletin as “Fully Insured - All States.” If an entity reported being fully insured in some states and not in others, the entity is reported as “Fully Insured - Some States.” For MEWAs and ECEs that indicated the entity was not fully insured in any state, the entity is reported as “Not Fully Insured.” For more details, please see [Appendix A](#).

Entities were generally consistent in how they were funded across states, though the funding varied by entity type. Most MEWAs that submitted an annual report indicated they were fully insured in Statistical Year 2021, with 79 percent of Plan MEWAs and 59 percent of Non-Plan MEWAs indicating being fully insured in all states. ECEs were also likely to be fully insured in all states, with all eight entities reporting that funding status.

The number of Plan MEWAs that were fully insured in all states increased 7 percent in 2021, and Plan MEWAs that were not fully insured in any state increased by almost 2 percent. The number of Non-Plan MEWAs that were fully insured in all states remained unchanged in 2021. However, those that were not fully insured in any state decreased by one entity, or nearly 5 percent. See Table 21B in [Appendix B](#).

Table 21: Entities by Entity Type and Funding Status, Annual Report Filings for Statistical Year 2021

Entity Type	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	543 (79.3%)	8 (1.2%)	134 (19.6%)	685 (100%)
Non-Plan MEWA	29 (59.2%)	0 (0.0%)	20 (40.8%)	49 (100%)
ECE	8 (100.0%)	0 (0.0%)	0 (0.0%)	8 (100%)
Total	580	8	154	742

Note: Percentages will not total 100% due to rounding.

SERVICE PROVIDERS

The Form M-1 requires filers to provide information on various service providers, including an actuary, third-party administrator (TPA), marketing agent, financial institution, insurer (if fully insured), and stop-loss provider. While not all entities use every type of service provider, the Department and state insurance regulators use this information to determine which services entities generally report using, identify common service providers across entities, and learn if certain entities frequently change service providers. For more details, please see [Appendix A](#).

Table 22 displays types of service providers used by entities as reported through their annual reports.²⁶ Consistent with Statistical Year 2020, the most commonly reported service providers were TPAs and marketing agents. A total of 357 entities reported using TPAs, of which 226 entities were fully insured in all states. Entities that weren't fully insured were more likely to report using an actuary or having stop-loss insurance. There were 206 entities that did not report any service providers on their Form M-1 filing. See Table 22B in [Appendix B](#).

²⁶ This section on service providers could understate the total number of entities that engaged with these types of service providers at any point during Statistical Year 2021 if changes occurred, but the annual report only referred to the status at the end of the filing year.

Table 22: Entities Reporting Various Service Providers by Funding Type, Annual Report Filings for Statistical Year 2021

Third-Party Administrators	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	211	5	107	323
Non-Plan MEWA	9	0	19	28
ECE	6	0	0	6
Total	226	5	126	357

Marketing Agent	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	311	2	71	384
Non-Plan MEWA	14	0	17	31
ECE	7	0	0	7
Total	332	2	88	422

Actuary	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	55	4	95	154
Non-Plan MEWA	3	0	16	19
ECE	0	0	0	0
Total	58	4	111	173

Stop-Loss Insurance	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	32	1	113	146
Non-Plan MEWA	3	0	18	21
ECE	0	0	0	0
Total	35	1	131	167

Stop-loss insurance provides a backstop to potential risk for not fully insured plans, given that the plans have to pay submitted health care claims, and thus may be at risk for running out of funds if plan participants incur larger than expected claims. Another form of risk mitigation involves the plan hiring an actuary to establish appropriate premiums, ensuring that the plan is adequately funded. Not having either stop-loss or an actuary could signal risk of potential insolvency.

Table 23 summarizes reporting of stop-loss insurance and actuary services for MEWAs filing annual reports that weren't fully insured. Of the not fully insured MEWAs in 2021, 105 (68 percent) entities reported both an actuary and stop-loss insurance, 17 (11 percent) reported neither, 6 (4 percent) reported an actuary but no stop-loss insurance, and 26 (nearly 17 percent) reported stop-loss insurance but no actuary.

Table 23: Not Fully Insured MEWAs Reporting Stop-Loss Insurance and Actuary, Annual Report Filings for Statistical Year 2021

MEWA, Not Fully Insured	Actuary	
	Yes	No
Stop-Loss		
Yes	105	26
No	6	17

STATE COVERAGE

MEWAs and ECEs reported operating in all 50 states, the District of Columbia, and certain U.S. territories during Statistical Year 2021.

Table 24 shows the top states in which entities operated by type for annual report filings. California and Texas remained the states with the most entities reporting operating there. California was the only top state with a decline in the number of Plan MEWAs operating in Statistical Year 2021. All other top states showed increases in Plan MEWAs. Most states had a decline in the number of Non-Plan MEWAs, while growth in Non-Plan MEWAs was unchanged in Texas, Washington state, and New York. See Table 24B in [Appendix B](#).

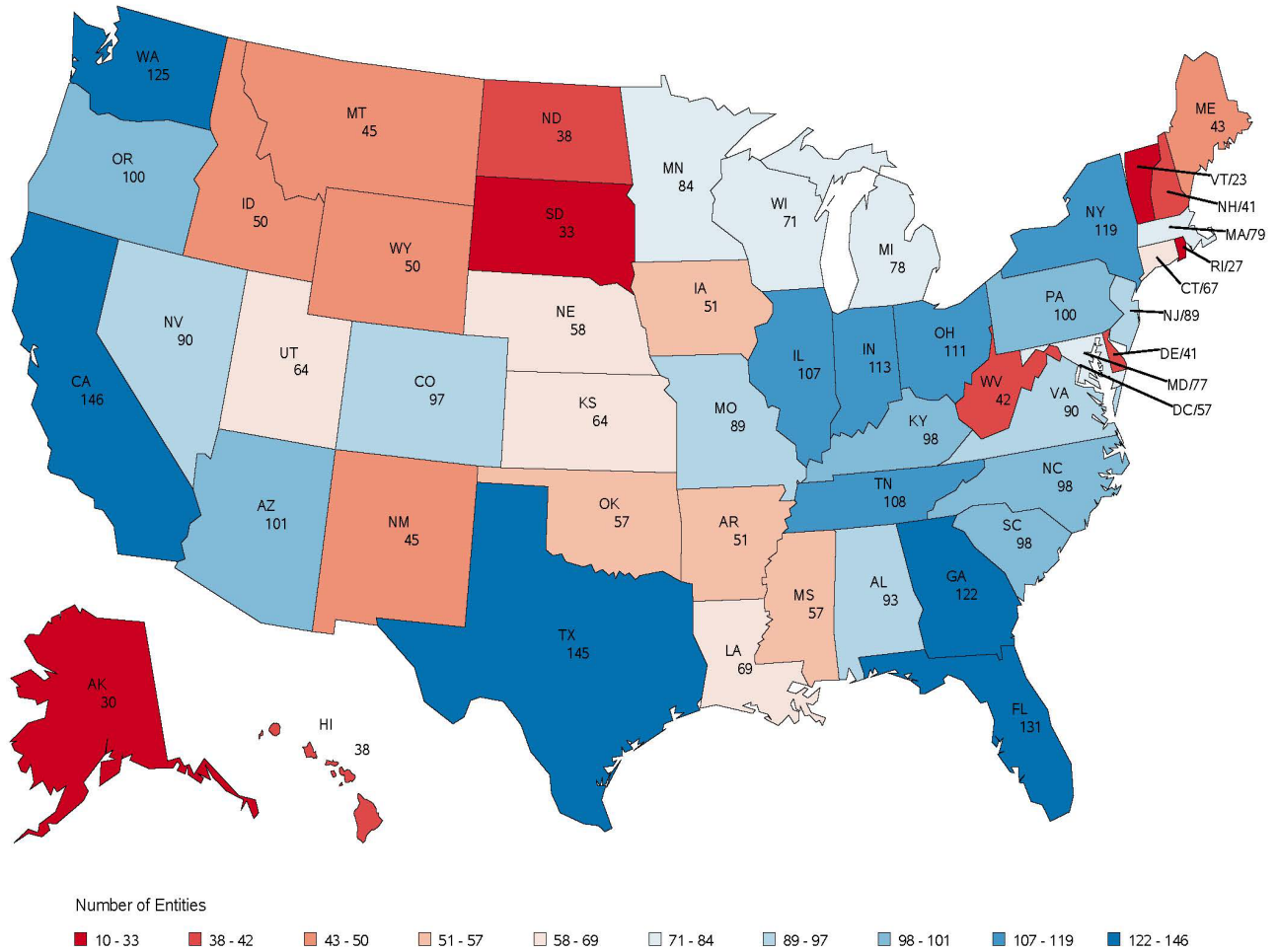
Table 24: Top States for Entities by Entity Type, Annual Report Filings for Statistical Year 2021

State	Plan MEWA	Non-Plan MEWA	ECE	Total
California	136	10	0	146
Texas	134	9	2	145
Florida	123	8	0	131
Washington	119	6	0	125
Georgia	113	9	0	122
New York	102	17	0	119
Indiana	106	7	0	113
Ohio	97	14	0	111
Tennessee	104	4	0	108
Illinois	101	6	0	107

Figure 9 displays the total Plan MEWAs, Non-Plan MEWAs, and ECEs in each state, based on their annual reports.²⁷ Most of these entities provided coverage in California, Texas, Florida, Washington state, Georgia, and New York. California had the most Plan MEWAs, while New York had the most Non-Plan MEWAs.

²⁷ The figure does not include entities in U.S. territories (44).

Figure 9: Total Entities by State, Annual Report Filings for Statistical Year 2021



PARTICIPANTS

When generating statistics about participant counts, the Department counted the largest number of participants reported on all entities’ Statistical Year 2021 Annual Report filings to account for entities that have different information reported on their multiple filings. MEWAs and ECEs that submitted annual reports reported 2.7 million participants for Statistical Year 2021, a 3 percent increase from Statistical Year 2020. Plan MEWA and Non-Plan MEWA participants increased by nearly 4 percent and nearly 34 percent, respectively. Most participants (nearly 89 percent) were reported by Plan MEWAs, which had the second largest entities, with an average size of 3,495 participants.²⁸

²⁸ Despite Plan MEWAs having an average size of about 3,500 participants overall, four Plan MEWAs, all of which were Professional Employer Organizations (PEOs), reported over 100,000 participants each.

Non-Plan MEWAs reported fewer participants than Plan MEWAs but tended to be the largest entities, with an average size of 6,573 participants, almost twice as many participants as the average Plan MEWA. See Table 24B in [Appendix B](#).

Table 25: Total Participants by Entity Type and Size, Annual Report Filings for Statistical Year 2021

Entity Type	Entity Count	Participant Count	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	685	2,394,232	87.8%	3,495	658	0	336,194
Non-Plan MEWA	49	322,074	11.8%	6,573	1,715	0	47,287
ECE	5	10,153	0.4%	1,269	150	8	6,039
Total	742	2,726,459	100.0%	3,674	695	0	336,194

FORM 5500 MATCHES

Some entities file both a Form M-1 Annual Report and a Form 5500 for the same time period. This section presents tables for such entities and displays the following:

- the match rate of Form M-1 Annual Reports to Form 5500s,
- reported assets for matched entities,
- concordance of reported and/or derived funding status between the two forms,
- benefits reported per the Form 5500 benefit codes,
- concordance of reported service providers between the two forms, and
- participant comparisons between the two forms.²⁹

The Department matched Form M-1 Annual Report filers to the Form 5500 through Question 11c on the Form 5500, which is used to report the receipt confirmation code the plan received when it filed the Form M-1. As shown in Table 26, there were 543 entities that filed a Form M-1 Annual Report for which the Department could identify a Form 5500 for the same period, a 73 percent match rate with the 742 entities that filed a Form M-1 Annual Report for Statistical Year 2021. This was a slight increase over 2020, which saw a 71 percent match rate between Form M-1 Annual Reports and Form 5500 filings. See Table 26B in [Appendix B](#).

Table 26: 2021 Form M-1 Entities by Entity Type – Annual only Matched M-1 and Form 5500 Filings

Entity Type	Matched Entities	Unique Entities	Match Rate
Plan MEWA	508	685	74.2%
Non-Plan MEWA	29	49	59.2%
ECE	6	8	75.0%
Total	543	742	73.2%

²⁹ Entities that file the Form M-1 and also required to file the Form 5500 are instructed not to use the Form 5500-Short Form (SF), which does not include a field for filers to indicate a Form M-1 confirmation number. Thus, none of the reported matched entities in this section include SF filers.

In examining why entities that filed a Form M-1 may not match with a Form 5500, apart from not having a requirement to file (e.g., Non-Plan MEWAs³⁰), the Department found the following explanations:

- Filers entered a matching Receipt Confirmation Code, but the timing of the filings did not match (i.e., they were not the same year).
- Filers entered a Receipt Confirmation Code, but it did not match (possibly a typing error).
- Filers left the code blank (i.e., they did not indicate any Receipt Confirmation Codes in the Form 5500 filing).

For more information about the matching process, see the Form 5500 Matches section of Appendix A.

Included in the 543 matched entities are arrangements that are not required to file a Form 5500 but are included in these summary tables due to their size. While Non-Plan MEWAs aren't required to file a Form 5500, nine of the larger Non-Plan MEWAs filed Form 5500s as 103-12 Investment Entities (103-12 IE).^{31,32} Entities that file the Form 5500 as 103-12 IEs are not required and generally do not report plan characteristic codes that indicate what type of benefits are offered, nor do they have to report the number of participants in the arrangement. They are, however, required to report insurance contract, service provider, and financial information. Because these Non-Plan MEWAs contain a large amount of assets and appear to be growing in participation, the Department opted to include these 103-12 Form 5500 matches in this bulletin to the extent they include information on the data elements presented in this Form 5500 match section.³³

In addition, the Department included in its matched tables a few dozen MEWAs that filed a Form 5500 as a Group Insurance Arrangement (GIA), which is another type of direct filing entity available for arrangements that provide benefits to the employees of two or more unaffiliated employers. A GIA fully insures one or more welfare plans of each participating employer, uses a trust or other entity as the holder of the insurance contracts, and uses a trust to pay premiums to the insurance company. Like the 103-12 filings, entities that file a Form 5500 as a GIA must report insurance contracts, service providers, and financial information as applicable. Unlike 103-12 filings, a GIA must report on the number of participants and relevant plan characteristic codes.

Table 27 illustrates the entity type breakout of MEWAs for which the Department identified a Form 5500 match that filed as a direct filing entity. Among the 42 direct filing entity matches, 22 Plan MEWAs and 11 Non-Plan MEWAs filed as GIAs and nine Non-Plan MEWAs filed as 103-12 IEs.

³⁰ Although Non-Plan MEWAs are not required to file a Form 5500, of the 29 Non-Plan MEWAs that did match with a Form 5500 for Statistical Year 2021, 11 filed as Group Insurance Arrangements (GIAs), nine filed as 103-12 investment entities, and nine filed as multiple employer welfare plans.

³¹ DOL Regulation 2520.103-12 provides a method of reporting for plans that invest in an entity (other than other types of direct filing entities) whose underlying assets include “plan assets” within the meaning of 29 CFR 2510.3-101 of two or more plans that are not members of a “related group” of employee benefit plans. Eight out of nine of the Non-Plan MEWAs that filed as 103-12s attached financial reports to their Form 5500 filings that identified them as Voluntary Employees' Beneficiary Associations (“VEBAs”) under Section 501(c)(9) of the Internal Revenue Code.

³² See the 2021 Instructions for Form 5500, <https://www.dol.gov/sites/dolgov/files/ebsa/employers-and-advisers/plan-administration-and-compliance/reporting-and-filing/form-5500/2021-instructions.pdf>, p.11.

³³ Though the Department didn't expressly exclude the entities filed as 103-12 IE and GIA from any of the tables in the Form 5500 match section of this report, they represent some of the 19 entities that are excluded from the participant table due to having reported zero participants on either the Form M-1 or Form 5500.

Table 27: Direct Filing Entity Form 5500 filings, by Entity Type for Statistical Year 2021

Entity Type	GIA	103-12 IE	Total
Plan MEWA	22	0	22
Non-Plan MEWA	11	9	20
Total	33	9	42

Not all of the 543 entities that filed both a Form M-1 and a Form 5500 for Statistical Year 2021 reported all information. For example, only 283 of the matched entities reported assets on the Form 5500.³⁴ Among those, the average reported assets across all entity types were \$9.3 million, a nearly 11 percent decrease from 2020. Median assets were \$1.8 million, a nearly 16 percent decrease from 2020. Average reported assets for Non-Plan MEWAs increased by 22 percent from 2020, while average reported assets for Plan MEWAs decreased 7 percent, with one Plan MEWA reporting a loss of nearly \$23 thousand in assets.³⁵ See Table 28B in [Appendix B](#).

Table 28: Assets – Matched Unique Entity, Statistical Year 2021

Entity Type	Entity Count	Sum	Average Assets	Median Assets	Min	Max
Plan MEWA	255	\$2,222,043,296	\$8,713,895	\$1,843,852	\$-22,968	\$221,794,192
Non-Plan MEWA	22	\$408,772,512	\$18,580,569	\$1,964,497	\$0	\$214,233,976
ECE	6	\$6,340,515	\$1,056,753	\$192,481	\$26,897	\$5,339,232
Total	283	\$2,637,156,323	\$9,318,574	\$1,823,412	\$-22,968	\$221,794,192

In addition to summarizing information that MEWAs and ECEs report on the Form 5500, this bulletin compares the consistency of information across these forms. While this data can be informative, the Form M-1 only asks about medical benefits, whereas Form 5500 filings allow welfare plans to report on multiple benefit types in a single filing. As a result, some level of inconsistency across filing types is to be expected.

In particular, funding status is self-reported on the Form M-1 (as fully insured in all states, fully insured in some states, and not fully insured), but the Department assigns funding type to health plan Form 5500 filers (as fully insured, mixed-insured or self-insured) based on certain reported characteristics on the Form 5500.³⁶ Because the Form M-1 and the Form 5500’s funding options do not map directly to each other, there is the possibility that other benefits, such as life insurance or vision, are funded differently from health benefits.

³⁴ Assets reported in Table 28 are for all non-blank entries on the Schedule I or Schedule H. Matched entities might not have filed a Schedule I or Schedule H if they are fully insured or do not have assets in a trust.

³⁵ Net assets represent the value of an entity’s assets after all of its liabilities have been subtracted. Negative net assets occur when an entity’s liabilities exceed its assets. The Department allows entities to report either positive or negative net assets on the Form 5500 to accurately reflect the plan’s financial situation.

³⁶ The Form 5500 does not explicitly ask health plans if they are self-insured or fully insured, so the Department uses an algorithm to determine the likelihood of self-insurance for group health plans that file a Form 5500. Based largely on reporting characteristics that demonstrate evidence of insurance contracts or evidence of trusts, plans that indicate they offer health benefits on their Form 5500 are labeled “fully insured,” “self-insured,” or “mixed insured” (which suggests some plan options are fully insured while other are self-insured). More information about this algorithm can be found in Appendix B, Self-Insured Report: Form 5500 filings of health benefit plans. See pg. 15 of the report for a depiction of the algorithm and how it classifies plans by funding status,

<https://www.dol.gov/sites/dolgov/files/EBSA/researchers/statistics/retirement-bulletins/annual-report-on-self-insured-group-health-plans-2023-appendix-b.pdf>.

However, one would still expect that MEWAs and ECEs that were assigned fully insured status on the Form 5500 would identify as fully insured in all states on the Form M-1. As shown in Table 29, this is the case for more than 96 percent of the 367 fully insured Form 5500 filings.

Alternatively, one would expect a weaker correlation between MEWAs and ECEs with a Form 5500 indicating some element of self-insurance and those that identify as being not fully insured in some or all states on their Form M-1 filings, given the Form 5500 funding status could be capturing other types of benefits. This is the case for 66 percent of the 156 Form 5500 filings that the Department classified as having at least some element of self-insurance.

Table 29: Funding Status Concordance by Form, MEWAs and ECEs for Statistical Year 2021³⁷

Form 5500	Form M-1		
	Not Fully Insured	Fully Insured – Some States	Fully Insured – All States
Self-Insured	96	0	29
Mixed Insured	5	2	24
Fully Insured	11	2	354

Table 30 depicts the number of entities indicating various benefit types on their Form 5500 filings. This additional information about benefit types helps to inform the full set of benefits offered by MEWAs and ECEs, because the Form M-1 does not ask filers for this information.

Among the 543 matched entities, nearly 80 percent reported on their Form 5500 filing that they offer benefits in addition to health benefits, mostly some combination of vision, dental, and other non-health welfare benefits.

It is worth noting that the Department included in this analysis 20 MEWAs that did not indicate on their Form 5500 that they offered health benefits either through omission of a welfare benefit plan characteristic code or a code that signals a welfare benefit, but not health specifically. The eight Form 5500 matches with blank codes can be attributed to the previously discussed 103-12 IE Non-Plan MEWA filings³⁸. Twelve entities reported offering only non-health benefits, meaning they offer some combination of vision, dental, life, disability, or “other health” benefits but not health benefits specifically. Because MEWAs and ECEs are not required to file the Form M-1 if they do not offer health benefits, the Department flagged these 12 entities for follow-up to ensure that there is no confusion about the filing requirements.

³⁷ There were 543 MEWAs and ECEs that filed both the Form M-1 and the Form 5500. However, the funding status of 20 MEWAs could not be identified by the Form 5500 data. These filings either have blank welfare codes or listed non-health plan codes but were included because they had a Form 5500 match to a Form M-1.

³⁸ While not required, one of the nine Non-Plan MEWAs that filed as a 103-12 IE did report welfare benefit codes.

Table 30: Benefit Types Reported on the Form 5500, All Entity Types for Statistical Year 2021

Benefit Type	
Health Benefits Only	90
Health and Other Benefits	433
Health and Dental	15
Health and Vision	9
Health and Non-Health	16
Health, Dental, and Vision	73
Health, Dental, and Non-Health	22
Health, Vision, and Non-Health	11
Health, Dental, Vision, and Non-Health	287
Non-health benefits	12
No Benefit Codes	8

Table 31 shows the concordance of service provider types listed on the Form M-1 and Form 5500 among entities that filed both forms. The green boxes indicate where a given service provider type was reported (or not reported) consistently on both forms. Although Table 31 demonstrates some inconsistency in the type of service providers reported, there are several explanations for these differences:

- The Form 5500 filing instructions state that plans do not have to list service providers that receive less than \$5,000 in direct and indirect compensation on the Schedule C. In contrast, the Form M-1 filing instructions indicate no such compensation threshold for reporting service providers.
- The Form 5500 states that plans do not have to report stop-loss policies if the employer, rather than the plan, owns the policy. The Form M-1 instructions are not as direct on this point and as written, allow for the possibility that any stop-loss coverage, whether held by the plan or employer, should be reportable.³⁹
- The Form 5500 Schedule C allows services provided that do not fall into one of the standard codes to be identified using an “other” or catch-all code.⁴⁰ This could contribute to inconsistency when matching with the Form M-1 if a Form 5500 filer used an “other” code to indicate that the service provider had a number of roles, which may have included providing TPA, marketing, or actuary services.

³⁹ The Form M-1 instructions read: “Stop-loss coverage also includes any financial reimbursement instrument that is related to liability for the payment of health claims by the MEWA or ECE, including reinsurance and excess loss insurance.” Because of the phrasing of “any financial reimbursement instrument,” the wording does not preclude the possibility of a MEWA reporting the presence of employer-held stop-loss policies. See Form M-1 Report for MEWAs and ECEs, <https://www.dol.gov/sites/dolgov/files/ebsa/employers-and-advisers/plan-administration-and-compliance/reporting-and-filing/forms/m1-2021.pdf>, pg. 13.

⁴⁰ Service codes used from the Form 5500 Schedule C to identify the various service provider types are: TPA (12, 13, 14, 15), Marketing Agent (22), and Actuary (11).

The rate of inconsistency in service provider reporting between the Form 5500 and Form M-1 for the 2021 Statistical Year ranged from nearly 10 percent for stop-loss insurance to nearly 44 percent for marketing agents.

Table 31: Form M-1 to Form 5500 Matches by Service Providers, All Entity Types for Statistical Year 2021

Third-Party Administrators	Form M-1	
Form 5500	Yes	No
Yes	187	29
No	93	234

Marketing Agent	Form M-1	
Form 5500	Yes	No
Yes	87	16
No	222	218

Actuary	Form M-1	
Form 5500	Yes	No
Yes	48	15
No	88	392

Stop-Loss Insurance	Form M-1	
Form 5500	Yes	No
Yes	83	5
No	47	408

Table 32 reports total participants for the 524 matched entities that filed both the Form M-1 and Form 5500 and reported participants on both forms.⁴¹ Examining the participant counts reported on the Form M-1 and the Form 5500 might not allow for a meaningful comparison, due to the fact that the participant counts reported on the Form M-1 should pertain only to individuals who are receiving health benefits through the MEWA or ECE, while the Form 5500 may include participants in non-health benefits as well.

⁴¹ Only includes entities with more than zero participants in both the Form M-1 and the Form 5500. Of the 19 entities dropped for this comparison, 13 reported zero participants on the Form 5500, three reported zero participants on the Form M-1, and three reported zero participants on both for the Form 5500 and Form M-1.

Of these 524 matched entities, the Form M-1 contained nearly 1.7 million total participants from the annual report filings, while the Form 5500 had nearly three times as many participants. This is largely driven by one plan that reported 2.6 million more participants on its Form 5500 than its Form M-1.⁴²

Since the Form 5500 includes non-health plans, such as dental, vision, life, and accidental death & dismemberment plans, the counts of participants on the Form 5500 exceed the counts reported on the Form M-1 for matched entities. Table 32B in [Appendix B](#) displays the total participants with Form M-1 to Form 5500 matches without the above referenced plan.

Table 32: Form M-1 to Form 5500 Matches, Total Participants by Entity Type and Size, All Entity Types for Statistical Year 2021

Form M-1					
Entity Type	Entity Count	Participant Count	% Total	Average	Median
Plan MEWA	498	1,555,644	93.9%	3,124	745
Non-Plan MEWA	20	97,106	5.9%	4,855	1,572
ECE	6	3,981	0.2%	664	140
Total	524	1,656,731	100.0%	3,162	784

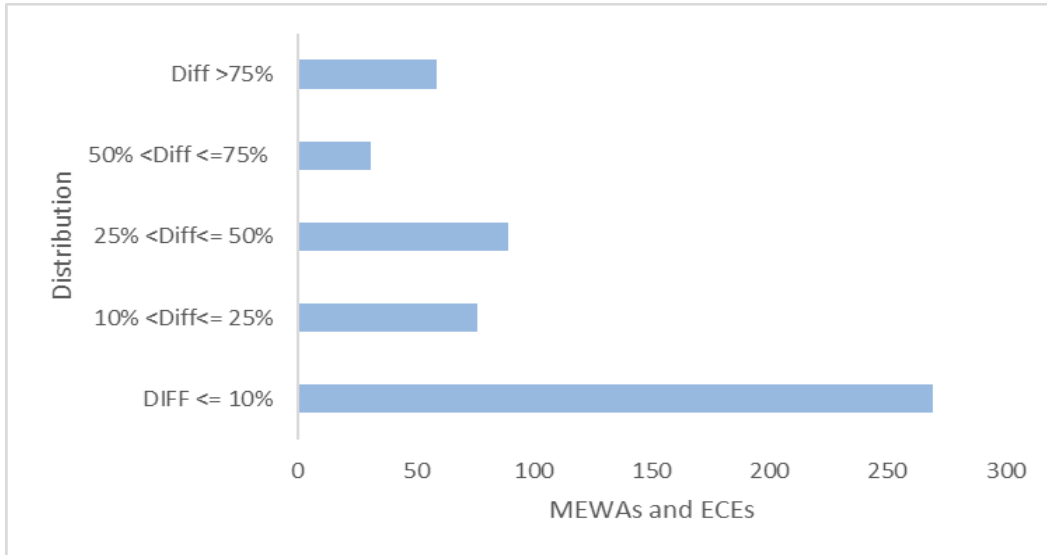
Note: Percentages will not total 100% due to rounding.

Form 5500					
Entity Type	Entity Count	Participant Counts	% Total	Average	Median
Plan MEWA	498	4,292,331	97.5%	8,619	802
Non-Plan MEWA	20	104,896	2.4%	5,245	1,423
ECE	6	4,164	0.1%	694	276
Total	524	4,401,391	100.0%	8,400	813

Figure 10 displays the distribution of the 524 MEWAs and ECEs that had more than zero participants reported on both the Form M-1 and the Form 5500. Of the matched entities, nearly 17 percent had exact participant matches on both forms and 34 percent had participant counts that closely matched (differed by 10 percent or less).

⁴² The one matched Form 5500 filing with 2.6 million participants demonstrates the need for caution in interpretation of participant matches. While the plan lists 2.6 million participants within the plan’s Schedule A filing, it appears that the majority of participants are enrolled in the life insurance plan, with a much smaller percentage enrolled in the health insurance plan. For entities that offer more than just medical benefits, the participant counts between the Form M-1 and Form 5500 filings may not be entirely comparable.

Figure 10: Participant Count Difference Distribution between Form 5500 & Form M-1, MEWAs and ECEs for Statistical Year 2021



CONCLUSION

This bulletin reports Statistical Year 2021 Form M-1 filing information for the following categories:

- all filers,
- those indicating Began Operating,
- those indicating MEWA Registrations, ECE Originations, ECE Special Filings, or material changes, and
- annual reports.

The bulletin includes statistics on the number of unique filing entities, reasons for filing, participants covered, states where operating, funding, and service providers, as well as additional information on a subset of entities that could also be matched to their Form 5500 filing. It is intended to provide a snapshot of the 2021 filing population, as reported by its administrators.

For Statistical Year 2021, 759 unique entities submitted Form M-1 filings, a 2 percent increase from Statistical Year 2020. Most were fully insured Plan MEWAs, though those entities tended to be smaller than Non-Plan MEWAs. These entities operated in all 50 states, the District of Columbia, certain U.S. territories, and several non-U.S. locations, and they covered more than 2.7 million participants.⁴³

⁴³ The participant count comes from looking at the largest number of participants reported on all entities' Statistical Year 2021 filings. For additional details, see [Appendix A](#), "Participants" section.

APPENDIX A: DATA PREPARATION DETAILS

This appendix provides details on the data preparation steps used to create the various descriptive statistics.

2021 FORM M-1 FILING POPULATION:

- The research dataset for this bulletin consists of Form M-1 filings for MEWAs or ECEs that filed a Form M-1 during the relevant period and were in operation during the 2021 Statistical Year, operating from January 1 to December 31, 2021, or operating during a fiscal year with at least 6 continuous months in 2021.
- The Department constructed the research dataset by starting with 2021 Form M-1 Annual Report filings that indicated the submission was for a calendar year MEWA or ECE.
- The 2021 Bulletin includes fiscal year filings if the annual report filings indicated the MEWA or ECE operated during a fiscal year with at least 6 continuous months in 2021. If the MEWA or ECE's fiscal year operated for exactly 6 months spanning 2 different years, the Department categorized the filings as being in the 2021 Statistical Year if the fiscal year end date occurred in 2021.⁴⁴
- In order to capture all the filings for special events that occurred in 2021, the Department separately added 2020 Form M-1 registration, origination, or special filings submitted between January 1 and December 31, 2021.

ENTITY IDENTIFICATION:

An entity may file multiple Form M-1s for a single operating year for a number of reasons, including, amending a previous filing from that operating year, expanding coverage to additional states, and increasing participants by 50 percent or more. This bulletin attempts to determine the number of entities that submitted those filings in a given statistical year. This task is somewhat complex, because an entity might have data entry inconsistencies across its additional filings. Examples of possible inconsistencies include transposed numbers in EINs, omitted PNs, and typographical errors in MEWA or ECE names.

The process of counting entities for the purpose of this bulletin necessitated that the Department develop a process for reviewing all filings in the population and determining whether each filing could be matched to other filings as either the same entity or an additional filing by an entity. Focusing on four key identifying variables (EIN, PN, entity name, and entity address), the Department looked for matching and non-matching variables to identify entities and categorize additional filings of entities.

The Department took a phased approach, detailed in the table below, with each phase looking for matching and non-matching combinations to help identify possible additional filings by entities. During each phase, the Department manually reviewed possible additional filings and categorized them as either a unique entity or additional filings of an already identified entity.

⁴⁴ The rule to classify July 1, 2020, through June 30, 2021, fiscal year filers as needing to file a 2021 Form M-1 comes from the publicly available Department of Labor document titled "10 Tips For Filing Form M-1 For Association Health Plans And Other MEWAs That Provide Medical," <https://www.dol.gov/sites/dolgov/files/ebsa/employers-and-advisers/plan-administration-and-compliance/reporting-and-filing/forms/m1-filing-tips.pdf>.

If a review of the four identifying variables did not produce a clear category for the potentially related filings, the Department reviewed additional information from the filings to ascertain whether the filings were entities not yet identified or possible additional filings of an already identified entity.

After the Department categorized all filings with any matching data in the four identifying variables as entities or additional filings, it designated all remaining filings from the population as entities.

This report assumes that a filing that matches no other filing across the four identifying variables is an entity with only one filing.

Table 1A: Phased Approach for Counting Entities

Entity Identifying Variables			
1	EIN	3	Entity Name
2	PN	4	Entity Address

Phase	Match	Description
Phase 1	1, 2, 3, and 4	Baseline for removal of unique MEWA duplicates.
Phase 2	1, 3, and 4; not 2	Identifies EIN, Name, and Address matches with no PN or incorrect PN entries.
Phase 3	1, 2, and 3; not 4	Identifies EIN, PN, and Name matches with likely incorrect or missing Address entries or unique Address with duplicate EIN, PN, and Names.
Phase 4	1, 2, and 4; not 3	Identifies EIN, PN, and Address matches with likely incorrect Name entries, or unique Name entries with duplicate EIN, PN, and/or Address.
Phase 5	2, 3, and 4; not 1	Identifies PN, Name, and Address matches with likely incorrect or missing EIN entries, or unique EIN entries with duplicate EIN, PN, and/or Address.
Phase 6	1 and 2; not 3 or 4	Identifies EIN and PN matches with likely incorrect Name or Address entries, or unique Name and Address entries with duplicate EIN and PNs.
Phase 7	1; not 2, 3, or 4	Identifies EIN matches with unique, incorrect, or missing PN, Name, and/or Address.
Phase 8	3; not 1, 2, or 4	Identifies Name matches with unique, missing, or incorrect EIN, PN, and/or Address.
Phase 9	1, 2, and 3; not 4	Identifies EIN, PN, and Name matches with likely incorrect or missing Address entries or unique Address with duplicate EIN, PN, and Names.

Phase 10	Not 1, 2, 3, or 4	Identifies all filings with no matches in EIN, PN, Name, or Address.
Phase 11	N/A	Review of all filings flagged as possible entities and possible additional filings for further manual review.

FUNDING STATUS:

On the Form M-1, Part II, Question 17, MEWAs and ECEs are asked to report on each state in which they provide medical coverage and the respective funding status (fully insured or not) of the medical coverage in that state. Because of the possibility of a single entity offering fully insured coverage in some states and not fully insured coverage in others, this bulletin includes four categories of funding status at the entity level:

- (1) fully insured - all states,
- (2) fully insured - some states,
- (3) not fully insured, and
- (4) undetermined.

To derive the funding status at the entity level, the Department aggregated all filings for an entity by each state coverage line-item question (Question 17g, “If no to 17e, is the entity fully insured?”). Through this process, a single entity could have specific states appear more than once due to multiple filings on which the entity filled out Question 17.

In the aggregate list, if an entity reported for all states a funding status of fully insured, the Department classified the entity as “Fully Insured - All States.” If an entity reported being fully insured in some states and not in others, then the Department classified the entity as “Fully Insured - Some States.” If MEWAs and ECEs did not indicate the entity was fully insured in any state, then the Department classified the entity as “Not Fully Insured.” If Question 17g was left blank on all of the line items associated with the specific entity, then the Department classified the entity as “Undetermined.”

SERVICE PROVIDERS:

An entity might report multiple service providers on the same filing or on multiple filings submitted in a given year.

After manually reviewing the data at the service provider level, the Department concluded that filers were reporting identifying information for their service providers too inconsistently to accurately classify a service provider as unique in this bulletin. Across multiple filings, the same service provider could have various names, EINs, and/or non-obvious spelling errors.

Instead, the Department decided to include service provider data by entity counts, where entities are broken down further by entity type and funding status.

Therefore, the bulletin includes information on whether a MEWA or ECE ever reported having one of four

different types of service providers (TPA, actuary, marketing agent, or stop-loss) on any of its 2021 Statistical Year filings. For example, TPAs are reported by 357 entities, 211 of which are “Fully Insured - All States” and identified as Plan MEWAs.

STATE COVERAGE:

In Part II, Question 17, entities report all states in which they provide benefits for medical coverage. For this purpose, entities list the state(s) where the employers (of the employees receiving coverage) are domiciled. Entities also indicate if a state was not included on previous M-1 filings by checking the “New State?” box. Additional information, as applicable, is submitted for the types of coverage provided for each state listed.

Table 2A: Part II, Question 17

17a	17b	17c	17d	17e	17f	17g	17h	17i	17j
Enter State where the MEWA or ECE is operating.	Is coverage provided?	State registration number.	Name of state agent or entity for service of process.	Is the entity a licensed health insurer in this State?	If yes to 17e, enter NAIC number.	If no to 17e, is the entity fully insured?	If yes to 17g, enter name and NAIC number of insurer.	Does the entity purchase stop loss coverage?	If yes to 17i, enter the name and NAIC number of insurer.

Because an entity may file multiple Form M-1s in a single plan year for different filing purposes, causing additional filings to be submitted for the same entity, the Department reviewed additional filings of entities for any discrepancies in Part II, Question 17’s state information. An entity can remove or add states throughout a plan year, which could result in additional filings to amend this information.

This bulletin includes all entities that list a state on any filings submitted for the plan year in an effort to report all states that an entity operates in during any part of the plan year. However, the Department counted an entity once per state regardless of multiple filings in order to ensure that number of entities operating in each state is not overstated.

Table 3A: State Coverage by Entity Type, Total Filings for Statistical Year 2021

2021 Plan Year	Plan MEWA	Non-Plan MEWA	ECE	MEWA Headquarters	New State
AK	27	2	1	3	3
AL	90	6	1	23	12
AR	48	4	0	2	5
AZ	96	7	0	6	15
CA	139	10	0	65	15
CD	0	0	0	1	0
CO	96	5	0	6	11
CT	64	5	0	5	14
DC	53	5	0	8	7
DE	39	4	0	5	7
FL	128	8	0	27	24

GA	117	9	0	23	15
GU	0	1	0	0	0
HI	32	6	1	16	4
IA	49	3	0	7	5
ID	50	2	0	4	8
IL	104	6	0	26	16
IN	106	7	0	26	18
KS	61	5	0	11	8
KY	95	6	0	28	15
LA	64	7	0	0	13
MA	78	5	0	4	12
MD	74	6	1	12	12
ME	41	2	0	4	5
MI	72	7	0	13	15
MN	82	5	0	11	13
MO	84	8	0	13	15
MS	54	4	0	3	9
MT	43	2	1	6	4
NC	93	9	0	9	14
ND	36	2	1	9	8
NE	54	4	0	11	9
NH	40	2	0	3	4
NJ	86	7	0	10	12
NM	42	5	0	1	11
NV	86	7	1	22	14
NY	104	17	0	35	14
OH	101	14	0	19	12
OK	54	3	0	4	7
OR	97	5	0	42	12
PA	95	8	0	19	11
PR	8	2	0	3	1
RI	27	2	0	2	6
SC	95	7	0	17	18
SD	31	3	0	2	5
TN	108	4	0	29	10
TX	138	9	2	55	21
UT	60	6	0	12	12
VA	87	6	1	13	16
VI	2	0	0	0	0
VT	22	1	0	2	3
WA	122	6	0	62	15
WI	67	6	0	12	8
WV	38	4	0	3	4
WY	47	3	1	5	10

PARTICIPANTS:

This bulletin seeks to report all participants covered by Form M-1 entities for the 2021 Statistical Year. When an entity submitted additional filings, the Department counted the largest number of participants reported on all entities' 2021 Statistical Year filings. The Department considered discrepancies in the number of participants reported between an entity's filings and reviewed them to determine how different the results were using various methods.

To assess whether the largest number was the correct number to report for this bulletin, the Department looked at the last filings versus largest participant count filings and examined entities that had extension filings and/or amended reports for discrepancies.

Ultimately, the Department decided to report the largest reported participants for all entities to be as inclusive as possible in reporting participants covered. This method resulted in 2,760,293 participants being reported by entities during Statistical Year 2021.

To calculate the participant count reported in Section IV: Annual Reports, the Department used the same method of choosing the largest reported participants, but it only looked across annual reports filed by entities.

FORM 5500 MATCHES:

For this bulletin, the Department performed the 2021 Form M-1 and Form 5500 filing matches using the following steps:

- The Department used Line 11c of the Form 5500 (which is used to report the receipt confirmation code the plan received when it filed the Form M-1) to match the Form M-1's confirmation number variable. The Form 5500 requires filers who report that they are subject to Form M-1 filing requirements to enter the Receipt Confirmation Code for the Form M-1 annual report for the parallel Form 5500 annual report. If the plan was not required to file the 2021 Form M-1 annual report during the Form 5500 reporting year, the filer is told to enter the Receipt Confirmation Code for the most recent Form M-1 that was required to be filed.
- The Department restricted the dataset of Form 5500 filings to those with plan years ending between 2020 and 2022.
- If the filer entered the same Receipt Confirmation Code on multiple Form 5500s, the Department matched the same plan year dates as the Form 5500 and the Form M-1.

This method identified 543 entities that filed both a Form M-1 and Form 5500 for Statistical Year 2021. This is the third year the Department matched and analyzed the two form filings for this bulletin series.

FORM M-1 LAYOUT FOR REGISTRATION, ORIGINATION, SPECIAL FILING SECTION:

The Form M-1 layout itself prescribes the way statistics regarding registrations, originations, and special filings are classified and presented in this bulletin.

Figure 4A below depicts the five underlying events that could be indicated when filing a MEWA registration. Those same five events are split across the origination and special filing categories for ECEs.

Figure 4A: Layout of Registration, Origination, and Special Filing Question from the 2021 Form M-1:

MEWA Registration
Enter MEWA registration date:
Reasons for filing Registration:
 50% Increase in Covered Employees
 Began Operating
 Began Operating in an Additional State
 Material Change
 Merger

ECE Origination
Enter ECE origination date:
Reasons for filing Origination:
 50% Increase in Covered Employees
 Began Operating
 Merger

ECE Special Filing
Enter ECE special filing date:
Reasons for filing Special Filing:
 Began Operating in an Additional State
 Material Change

As shown in the figure above, an entity may check “Began Operating” in both the MEWA registration and ECE origination sections of the form, regardless of the entity type. This bulletin only reports if an entity indicated it began operating at least once on a filing and does not report the total number of occurrences for each filing.

APPENDIX B: COMPARISONS BETWEEN STATISTICAL YEARS 2020 and 2021

Note: Numbering of appendix tables corresponds to the table numbers of the main report, but not every table of the main report is reflected in Appendix B.

Table 2B: Form M-1 Filings by Entity Type, Total Filings for Statistical Years 2020, 2021

Entity Type	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Plan MEWA	849	91.6%	854	91.6%	0.6%
Non-Plan MEWA	70	7.5%	65	7.0%	-7.1%
ECE	8	0.9%	13	1.4%	62.5%
Total	927	100.0%	932	100.0%	0.5%

Table 3B: Form M-1 Filings by Filing Purpose, Total Filings for Statistical Years 2020, 2021

Filing Purpose	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Annual Report	792	85.4%	815	87.4%	2.9%
MEWA Registration	122	13.2%	101	10.8%	-17.2%
ECE Origination	5	0.5%	8	0.9%	60.0%
ECE Special Filing	8	0.9%	9	1.0%	12.5%

Note: Percentages will not total 100% due to rounding.

Table 4B: Unique Entities by Number of Filings, Total Filings for Statistical Years 2020, 2021

Filings	2020		2021	
	Entities	Share	Entities	Share
1	596	80.2%	613	80.8%
2	124	16.7%	125	16.5%
3	17	2.3%	15	2.0%
4	2	0.3%	6	0.8%
5	1	0.1%	0	0.0%
6	2	0.3%	0	0.0%
7	1	0.1%	0	0.0%
8	N/A	N/A	2	0.3%
Total	743	100.0%	759	100.0%

Note: Percentages will not total 100% due to rounding.

Table 5B: Unique Entities by Entity Type, Total Filings for Statistical Year 2020, 2021

Entity Type	2020		2021		2020-2021
	Entity Count	Share	Entity Count	Share	Percent Change
Plan MEWA	687	92.5%	701	92.4%	2.0%
Non-Plan MEWA	50	6.7%	50	6.6%	0.0%
ECE	6	0.8%	8	1.1%	33.3%
Total	743	100.0%	759	100.0%	2.2%

Table 6B: Top Headquartered States by Entity Type, Total Filings for Statistical Years 2020, 2021

State	2020				2021				
	Plan MEWA	Non-Plan MEWA	ECE	Total	State	Plan MEWA	Non-Plan MEWA	ECE	Total
California	57	7	1	65	California	53	6	6	65
Washington	51	0	1	52	Washington	62	0	0	62
Texas	42	4	0	46	Texas	51	4	0	55
Oregon	42	0	0	42	Oregon	42	0	0	42
New York	23	11	0	34	New York	24	11	0	35
Kentucky	30	1	0	31	Tennessee	28	1	0	29
Tennessee	26	1	0	27	Kentucky	27	1	0	28
Florida	24	1	0	25	Florida	26	1	0	27
Georgia	23	2	0	25	Illinois	26	0	0	26
Illinois	25	0	0	25	Indiana	25	1	0	26

Table 7B: Top States of Entities Indicating “New State” by Entity Type, Total Filings for Statistical Years 2020, 2021

State	2020				2021				
	Plan MEWA	Non-Plan MEWA	ECE	Total	State	Plan MEWA	Non-Plan MEWA	ECE	Total
Nevada	18	1	0	19	Florida	21	3	0	24
California	13	0	0	13	Texas	17	2	2	21
Colorado	13	0	0	13	Indiana	17	1	0	18
Ohio	12	1	0	13	South Carolina	16	2	0	18
Pennsylvania	13	0	0	13	Illinois	14	2	0	16
Tennessee	13	0	0	13	Virginia	14	1	1	16
North Carolina	12	0	0	12	Arizona	13	2	0	15
Alabama	10	1	0	11	California	13	2	0	15
Georgia	11	0	0	11	Georgia	12	3	0	15
Kentucky	10	1	0	11	Kentucky	13	2	0	15
Louisiana	11	0	0	11	Michigan	13	2	0	15
Massachusetts	11	0	0	11	Missouri	13	2	0	15
Minnesota	11	0	0	11	Washington	14	1	0	15
Virginia	11	0	0	11	N/A	N/A	N/A	N/A	N/A

Table 8B: Total Participants by Entity Type and Size, Total Filings for Statistical Years 2020, 2021

2020							
Entity Type	Entity Counts	Participant Counts	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	687	2,335,469	87.3%	3,400	644	0	308,368
Non-Plan MEWA	50	255,287	9.5%	5,106	1,380	43	38,200
ECE	69	83,057	3.1%	13,843	4,308	170	68,309
Total	743	2,673,813	100.00%	3,599	700	0	308,368

2021							
Entity Type	Entity Counts	Participant Counts	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	701	2,414,652	87.5%	3,445	652	0	336,194
Non-Plan MEWA	50	335,059	12.1%	6,701	1,673	0	47,287
ECE	8	10,582	0.4%	1,323	334	30	6,039
Total	759	2,760,293	100.0%	3,637	687	0	336,194

2020-2021 Percent Change						
Entity Type	Entity Counts	Participant Counts	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	2.0%	3.4%	1.3%	1.2%	N/A	9.0%
Non-Plan MEWA	0.0%	31.2%	31.2%	21.2%	-100.0%	23.8%
ECE	33.3%	-87.3%	-90.4%	-92.3%	-82.4%	-91.2%
Total	2.2%	3.2%	1.1%	-1.9%	N/A	9.0%

Table 9B: Form M-1 Filings by Entity Type, “Began Operating” Filings for Statistical Years 2020, 2021

Entity Type	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Plan MEWA	65	98.5%	50	87.7%	-23.1%
Non-Plan MEWA	1	1.5%	2	3.5%	100.0%
ECE	0	0.0%	5	8.8%	N/A
Total	66	100.0%	57	100.0%	-13.6%

Table 10B: Unique Entities by Number of Filings, “Began Operating” Filings for Statistical Years 2020, 2021

Filings	2020		2021		
	Entities	Share	Filings	Entities	Share
1	62	96.9%	1	44	89.8%
2	2	3.1%	2	2	4.1%
8	N/A	N/A	3	3	6.1%
Total	64	100.0%	Total	49	100.0%

Table 11B: Unique Entities by Entity Type, “Began Operating” Filings for Statistical Years 2020, 2021

Entity Type	2020		2021		2020-2021
	Entity Count	Share	Entity Count	Share	Percent Change
Plan MEWA	63	98.4%	42	85.7%	-33.3%
Non-Plan MEWA	1	1.6%	2	4.1%	100.00%
ECE	0	0.0%	5	10.2%	N/A
Total	64	100.0%	49	100.0%	-23.4%

Table 12B: Top Headquartered States by Entity Type, “Began Operating” Filings for Statistical Years 2020, 2021

State	2020				2021				
	Plan MEWA	Non-Plan MEWA	ECE	Total	State	Plan MEWA	Non-Plan MEWA	ECE	Total
Nevada	7	0	0	7	California	1	1	5	7
Hawaii	6	0	6	6	Nevada	6	0	0	6
Georgia	4	0	0	4	Illinois	4	0	0	4
Indiana	4	0	0	4	Texas	4	0	0	4
Oregon	4	0	0	4	Washington	4	0	0	4
Washington	4	0	0	4	Alabama	3	0	0	3
Illinois	3	0	0	3	Kentucky	3	0	0	3
Kentucky	3	0	0	3	N/A	N/A	N/A	N/A	N/A
Tennessee	3	0	0	3	N/A	N/A	N/A	N/A	N/A
Texas	3	0	0	3	N/A	N/A	N/A	N/A	N/A

Table 13B: Form M-1 Filings by Entity Type, MEWA Registrations, ECE Originations and Special Filings for Statistical Year 2021

Entity Type	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Plan MEWA	62	81.6%	57	90.5%	-8.1%
Non-Plan MEWA	12	15.8%	6	9.5%	-50.0%
ECE	2	2.6%	0	0.0%	-100.0%
Total	76	100.0%	57	100.0%	-17.0%

Table 15B: Types of Filings by Underlying Events, MEWA Registrations, ECE Originations, and ECE Special Filings for Statistical Years 2020, 2021

Type of Filing	2020				2021			
	Material Change	Began Operating in Additional State	50% Increase in Covered Employees	Merger	Material Change	Began Operating in Additional State	50% Increase in Covered Employees	Merger
Plan MEWA	22	17	7	0	19	14	5	0
Non-Plan MEWA	10	1	1	0	0	0	0	0
ECE	0	0	0	1	0	0	0	0
Total	32	18	8	1	19	14	5	0

Table 16B: Unique Entities by Number of Filings, MEWA Registrations, ECE Originations, and Special Filings for Statistical Year 2020, 2021

Filings	2020		2021	
	Entities	Share	Entities	Share
1	35	70.0%	38	79.2%
2	9	18.0%	7	14.6%
3	3	6.0%	2	4.2%
4	1	2.0%	0	0.0%
5	2	4.0%	1	2.1%
Total	50	100.0%	48	100.0%

Note: Percentages will not total 100% due to rounding.

Table 17B: Unique Entities by Entity Type, MEWA Registrations, ECE Originations, and Special Filings for Statistical Years 2020, 2021

Entity Type	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Plan MEWA	40	80.0%	42	87.5%	5.0%
Non-Plan MEWA	8	16.0%	6	12.5%	-25.0%
ECE	2	4.0%	0	0.0%	-100.0%
Total	50	100.0%	48	100.0%	-4.0%

Table 18B: Form M-1 Filings by Entity Type, Annual Report Filings for Statistical Years 2020, 2021

Entity Type	2020		2021		2020-2021
	Filing Count	Share	Filing Count	Share	Percent Change
Plan MEWA	729	92.0%	750	92.0%	2.9%
Non-Plan MEWA	57	7.2%	57	7.0%	0.0%
ECE	6	0.8%	8	1.0%	33.3%
Total	792	100.0%	815	100.0%	2.9%

Table 19B: Unique Entities by Number of Filings, Annual Report Filings for Statistical Years 2020, 2021

Filings	2020		2021	
	Entities	Share	Entities	Share
1	632	89.4%	675	91.0%
2	70	9.9%	61	8.2%
3	3	0.4%	6	0.8%
4	0	0.0%	N/A	N/A
5	1	0.1%	N/A	N/A
6	1	0.1%	N/A	N/A
Total	707	100.0%	742	100.0%

Note: Percentages will not total 100% due to rounding.

Table 20B: Unique Entities by Entity Type, Annual Report Filings for Statistical Year 2020, 2021

Entity Type	2020		2021		2020-2021
	Entity Count	Share	Entity Count	Share	Percent Change
Plan MEWA	652	92.2%	685	92.3%	5.1%
Non-Plan MEWA	50	7.1%	49	6.6%	-2.0%
ECE	5	0.7%	8	1.1%	60.0%
Total	707	100.0%	742	100.0%	5.0%

Table 21B: Entities by Entity Type and Funding Status, Annual Report Filings for Statistical Year 2020, 2021

2020					
Entity Type	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Undetermined	Total
Plan MEWA	506 (77.6%)	13 (2.0%)	132 (20.2%)	1 (0.2%)	652(100.0%)
Non-Plan MEWA	29 (58.0%)	0 (0.0%)	21 (42.0%)	0 (0.0%)	50 (100.0%)
ECE	3 (60.0%)	0 (0.0%)	2 (40.0.0%)	0 (0.0%)	5 (100.0%)
Total	538	13	155	1	707

2021					
Entity Type	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Undetermined	Total
Plan MEWA	543 (79.3%)	8 (1.2%)	134 (19.6%)	0 (0.0%)	685(100.0%)
Non-Plan MEWA	29 (59.2%)	0 (0.0%)	20 (40.8%)	0 (0.0%)	49 (100.0%)
ECE	8 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	8 (100.0%)
Total	580	8	154	0	742

Note: Percentages will not total 100% due to rounding.

2020-2021 Percent Change					
Entity Type	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Undetermined	Total
Plan MEWA	7.3%	-38.5%	1.5%	-100.0%	5.1%
Non-Plan MEWA	0.0%	N/A	-4.8%	N/A	-2.0%
ECE	166.7%	N/A	-100.0%	N/A	60.0%
Total	7.8%	-38.5%	-.7%	-100.0%	5.0%

Table 22B: Entities Reporting Various Service Providers by Funding Type, Annual Report Filings for Statistical Years 2020, 2021

2020				
Third-Party Administrators	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	195	6	108	309
Non-Plan MEWA	10	0	20	30
ECE	1	0	1	2
Total	206	6	129	341

2021				
Third-Party Administrators	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	211	5	107	323
Non-Plan MEWA	9	0	19	28
ECE	6	0	0	6
Total	226	5	126	357

2020-2021 Percent Change				
Third-Party Administrators	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	8.2%	-16.7%	-0.9%	4.5%
Non-Plan MEWA	-10.0%	N/A	-5.0%	-6.7%
ECE	500.0%	N/A	-100.0%	200.0%
Total	9.7%	-16.7%	-2.3%	4.7%

2020				
Marketing Agent	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	288	3	70	361
Non-Plan MEWA	15	0	18	33
ECE	1	0	0	1
Total	304	3	88	395

Table 22B Continued: Entities Reporting Various Service Providers by Funding Type, Annual Report Filings for Statistical Years 2020, 2021

2021				
Marketing Agent	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	311	2	71	384
Non-Plan MEWA	14	0	17	31
ECE	7	0	0	7
Total	332	2	88	422

2020-2021 Percent Change				
Marketing Agent	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	8.0%	-33.3%	1.4%	6.4%
Non-Plan MEWA	-6.7%	N/A	-5.6%	-6.1%
ECE	600.0%	N/A	N/A	600.0%
Total	9.2%	-33.3%	0.0%	6.8%

2020				
Actuary	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	66	5	94	165
Non-Plan MEWA	2	0	16	18
ECE	1	0	1	2
Total	69	5	111	185

2021				
Actuary	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	55	4	95	154
Non-Plan MEWA	3	0	16	19
ECE	0	0	0	0
Total	58	4	111	173

Table 22B Continued: Entities Reporting Various Service Providers by Funding Type, Annual Report Filings for Statistical Years 2020, 2021

2020-2021 Percent Change				
Actuary	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	-16.7%	-20.0%	1.1%	-6.7%
Non-Plan MEWA	50.0%	N/A	0.0%	5.6%
ECE	-100.0%	N/A	-100.0%	-100.0%
Total	-15.9%	-20.0%	0.0%	-6.5%

2020				
Stop-Loss Insurance	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	29	2	114	145
Non-Plan MEWA	3	0	19	22
ECE	0	0	0	0
Total	32	2	133	167

2021				
Stop-Loss Insurance	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	32	1	113	146
Non-Plan MEWA	3	0	18	21
ECE	0	0	0	0
Total	35	1	131	167

2020-2021 Percent Change				
Stop-Loss Insurance	Fully Insured – All States	Fully Insured – Some States	Not Fully Insured	Total
Plan MEWA	10.3%	-50.0%	-0.9%	0.7%
Non-Plan MEWA	0.0%	N/A	-5.3%	-4.5%
ECE	N/A	N/A	N/A	N/A
Total	9.4%	-50.0%	-1.5%	0.0%

Table 24B: Top States for Entities by Entity Type, Annual Report Filings for Statistical Year 2020, 2021

2020					2021				
State	Plan MEWA	Non-Plan MEWA	ECE	Total	State	Plan MEWA	Non-Plan MEWA	ECE	Total
California	138	11	1	150	California	136	10	0	146
Texas	133	9	0	142	Texas	134	9	2	145
Florida	117	10	0	127	Florida	123	8	0	131
Georgia	111	10	0	121	Washington	119	6	0	125
New York	98	17	0	115	Georgia	113	9	0	122
Washington	106	6	1	113	New York	102	17	0	119
Ohio	95	16	0	111	Indiana	106	7	0	113
Illinois	100	8	0	108	Ohio	97	14	0	111
Pennsylvania	99	9	0	108	Tennessee	104	4	0	108
Kentucky	99	7	0	106	Illinois	101	6	0	107
Tennessee	100	6	0	106	N/A	N/A	N/A	N/A	N/A

Table 25B: Total Participants by Entity Type and Size, Annual Report Filings for Statistical Years 2020, 2021

2020							
Entity Type	Entity Counts	Participant Counts	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	652	2,313,331	87.7%	3,548	688	0	308,368
Non-Plan MEWA	50	240,813	9.1%	4,816	1,380	43	240,813
ECE	5	82,436	3.1%	16,487	5,276	170	68,309
Total	707	2,636,580	100.0%	3,729	744	0	308,368

Note: Percentages will not total 100% due to rounding.

2021							
Entity Type	Entity Counts	Participant Counts	% Total	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	685	2,394,232	87.8%	3,495	658	0	336,194
Non-Plan MEWA	49	322,074	11.8%	6,573	1,715	0	47,287
ECE	5	10,153	0.4%	1,269	150	8	6,039
Total	742	2,726,459	100.0%	3,674	695	0	336,194

Table 25B Continued: Total Participants by Entity Type and Size, Annual Report Filings for Statistical Years 2020, 2021

2020-2021 Percent Change						
Entity Type	Entity Counts	Participant Counts	Average Entity Size	Median Entity Size	Min	Max
Plan MEWA	5.1%	3.5%	-1.5%	-4.3%	N/A	9.0%
Non-Plan MEWA	-2.0%	33.7%	36.5%	24.3%	-100.0%	23.8%
ECE	60.0%	-87.7%	-92.3%	-97.2%	-95.3%	-91.2%
Total	5.0%	3.4%	-1.5%	-6.7%	N/A	9.0%

Table 26B: Form M-1 Entities by Entity Type – Annual only Matched M-1 and Form 5500 Filings for Statistical Years 2020, 2021

Entity Type	2020		2021	
	Matched Entities	Unique Entities	Matched Entities	Unique Entities
Plan MEWA	472	652	508	678
Non-Plan MEWA	30	50	29	49
ECE	3	5	6	8
Total	505	707	543	735

Table 28B: Assets – Matched Unique Entity for Statistical Years 2020, 2021

2020						
Entity Type	Entity Count	Sum	Average Assets	Median Assets	Min	Max
Plan MEWA	231	\$2,171,037,194	\$9,398,429	\$2,142,604	\$0	\$234,496,735
Non-Plan MEWA	23	\$350,095,718	\$15,221,553	\$2,012,463	\$0	\$153,848,729
ECE	2	\$149,658,016	\$74,829,008	\$74,829,008	\$2,189,261	\$147,468,755
Total	256	\$2,670,790,928	\$10,432,777	\$2,165,933	\$0	\$234,496,735

2021						
Entity Type	Entity Count	Sum	Average Assets	Median Assets	Min	Max
Plan MEWA	255	\$2,222,043,296	\$8,713,895	\$1,843,852	\$-22,968	\$221,794,192
Non-Plan MEWA	22	\$408,772,512	\$18,580,569	\$1,964,497	\$0	\$214,233,976
ECE	6	\$6,340,515	\$1,056,753	\$192,481	\$26,897	\$5,339,232
Total	283	\$2,637,156,323	\$9,318,574	\$1,823,412	\$-22,968	\$221,794,192

Table 28B Continued: Assets – Matched Unique Entity for Statistical Years 2020, 2021

2020-2021 Percent Change						
Entity Type	Entity Count	Sum	Average Assets	Median Assets	Min	Max
Plan MEWA	10.4%	2.3%	-7.3%	-13.9%	N/A	-5.4%
Non-Plan MEWA	-4.3%	16.8%	22.1%	-2.4%	N/A	39.2%
ECE	200.0%	-95.8%	-98.6%	-99.7%	-98.8%	-96.4%
Total	10.5%	-1.3%	-10.7%	-15.8%	N/A	-5.4%

Table 29B: Funding Status Concordance by Form, MEWAs and ECEs for Statistical Years 2020, 2021

2020			
Form 5500	Form M-1		
	Not Fully Insured	Fully Insured – Some States	Fully Insured – All States
Self-Insured	87	0	19
Mixed Insured	6	4	18
Fully Insured	12	2	324

2021			
Form 5500	Form M-1		
	Not Fully Insured	Fully Insured – Some States	Fully Insured – All States
Self-Insured	96	0	29
Mixed Insured	5	2	24
Fully Insured	11	2	354

Table 32B: Form M-1 to Form 5500 Matches, Total Participants by Entity Type, Statistical Year 2021⁴⁵

Entity Type	M-1 Participant Counts	% Total	F5500 Participant Counts	% Total
Plan MEWA	1,555,644	93.9%	1,652,449	93.8%
Non-Plan MEWA	97,160	5.9%	104,896	6.0%
ECE	3,981	0.2%	4,164	0.2%
Total	1,656,731	100.0%	1,761,509	100.0%

⁴⁵ This table excludes the largest Form 5500 plan with 2.6 million participants, which the Department believes does not reflect the participation in the health benefits portion of the plan.