



DOL Penalties Increase for 2025

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The Department of Labor (“DOL”) has published the annual adjustments for 2025 that increase certain penalties applicable to employee benefit plans.

■ Annual Penalty Adjustments for 2025

The following updated penalties are applicable to health and welfare plans subject to ERISA.

Description	2024 Penalty (OLD)	2025 Penalty (NEW)
Failure to file Form 5500	Up to \$2,670 per day	Up to \$2,739 per day
Failure of a MEWA to file reports (i.e., M-1)	Up to \$1,942 per day	Up to \$1,992 per day
Failure to provide CHIP Notice	Up to \$141 per day per employee	Up to \$145 per day per employee
Failure to disclose CHIP/Medicaid coordination to the State	\$141 per day per violation (per participant/beneficiary)	\$145 per day per violation (per participant/beneficiary)
Failure to provide SBCs	Up to \$1,406 per failure	Up to \$1,443 per failure
Failure to furnish plan documents (including SPDs/SMMs) to DOL won request	\$190 per day \$1,906 cap per request	\$195 per day \$1,956 cap per request
Genetic information failures	\$141 per day (per participant/beneficiary)	\$145 per day (per participant/beneficiary)
<i>De minimis</i> failures to meet genetic information requirements	\$3,550 minimum	\$3,642 minimum
Failure to meet genetic information requirements – not <i>de minimis</i> failures	\$21,310 minimum	\$21,864 minimum
Cap on unintentional failures to meet genetic information requirements	\$710,310 maximum	\$728,764 maximum



■ Employer Action

Private employers, including non-profits, should ensure employees receive required notices timely (SBC, CHIP, SPD, etc.) to prevent civil penalty assessments. In addition, employers should ensure Form 5500s are properly and timely filed, if applicable. Finally, employers facing document requests from EBSA should ensure documents are provided timely, as requested.