



Overview & Guidebook







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FlexSave[™]

Who is HUB Financial Inc.?

HUB Financial Inc. has 8 offices across Canada, providing direct access to a wide array of products to independent financial advisors. It is also a subsidiary of HUB International Limited.

Further information can be found at:

- www.hubfinancial.com
- www.hubfinancial.com/flexsave



FlexSave™ Overview:

Using guidelines outlined by CRA (Canada Revenue Agency), FlexSave™ is a plan that facilitates incorporated businesses and unincorporated businesses with arms length employees in paying their health and dental expenses in a tax-effective and cost-efficient manner.¹

FlexSave™ works very differently than traditional group or individual health and dental insurance programs in that there are no ongoing premium payments required.

An employer enters into a trust agreement with HUB Financial Inc. to provide for the reimbursement of an employee's health and dental benefits. The employer agrees to provide funding for these expense

amounts and the applicable fees and taxes (listed under heading Fees and Taxes on Page 3) up to a limit the company sets in advance. The total amount paid by the employer may be **100% tax-deductible** to the business and the employees may receive a **tax free** benefit.¹

The Rationale

There are numerous reasons why a business may consider a program like FlexSave™ in lieu of, or in addition to, traditional health and dental alternatives.

1. Currently paying health and dental expenses personally.

Many businesses do not currently have a program in place for employee health and dental expenses. FlexSave™ can provide a mechanism to have these health care expenses paid from a far more tax-efficient place without the company having to qualify or put in place a traditional employee benefit plan.

¹ Every tax situation is unique and can be quite complex. Clients should always seek independent tax advice before putting a FlexSave[™] plan in place or deducting expenses related to FlexSave[™].

2. Have investigated insurance but frustrated with expensive premiums.

Many small businesses have investigated health and dental coverage but did not pursue it for the following reasons:

- Company was too small to have real "purchasing power" with the insurance companies
- Company was too new or in an industry where insurers are not interested in providing benefits
- The majority of their workforce had coverage through spousal plans
- Their workforce wanted control over where they could use funds without being restricted by co-insurance or low maximums in each category (i.e. dental, vision care, chiropractic etc.)

The FlexSave™ Program can address many of these issues as it is less restrictive than traditional plans as it follows CRA guidelines rather than insurance guidelines.

3. Want to reduce or eliminate potential increases in health and dental insurance premiums.

Since FlexSave™ is not a traditional plan of insurance, some employers are drawn to the concept of reducing their health and dental funding. Employers under a FlexSave™ Program know that they will not receive rate reviews and increases annually based on their employee usage.

These employers may use the FlexSave™ Program on its own or perhaps as a complementing component of their existing traditional plan that could be seeing heavy usage and rate pressure. The FlexSave™ Program may also be used to complement existing traditional coverage by providing reimbursement amounts that were not covered under another plan, such as the deductibles, co-insurance amounts, and amounts beyond the maximums.¹

4. Using the Medical Expense Tax Credit through personal income taxes.

Any individual may deduct medical expenses through their income tax. The amount is determined by a CRA formula². This formula creates a threshold in which any amount exceeding that can be eligible for deduction. Currently the threshold formula is calculated by taking the lesser or 3% of an individual's net income or \$2,011. The allowable portion is then multiplied by the lowest tax rate percentage for the year. (ref: IT-519R2)

The CRA does not allow a dollar-for-dollar deduction, whereas anything that is contributed to FlexSave™ may be paid with **pre-tax** dollars.¹ The end result is that FlexSave™ may offer a higher tax deduction for the business. The chart on the following page shows the differences in income and the tax comparison between FlexSave™ and the Medical Expense Tax Credit.

¹ Every tax situation is unique and can be quite complex. Clients should always seek independent tax advice before putting a FlexSave[™] plan in place or deducting expenses related to FlexSave[™].

² For more information, please refer to IT-519R available at the CRA website www.cra-arc.gc.ca

How Does it Work?

Eligibility:

If your client operates a business, is self employed or an independent contractor with armslength employees, they may be eligible. The business must be their main source of revenue and an individual is not able to create a company for the sole purpose of a Health and Welfare Trust or a Personal Health Spending Plan (PHSP).

There are no minimum or maximum size requirements.

Fees and Taxes:

- One time set-up fee of \$250 payable to HUB Financial Inc.
- There are NO charges per employee at set up
- An administration fee of 10% of the eligible claim amount plus applicable taxes depending on province of residence (please refer to chart below)

Example: For a \$1,000 dental bill, HUB will charge a \$100 processing fee plus applicable taxes.

Taxes

Ontario

- HST of 13% required on 10% administration fee
- PST of 8% required on claim
- Premium tax of 2% on claim and administration fee

British Columbia

HST of 12% required on 10% administration fee

Alberta, Manitoba and Saskatchewan

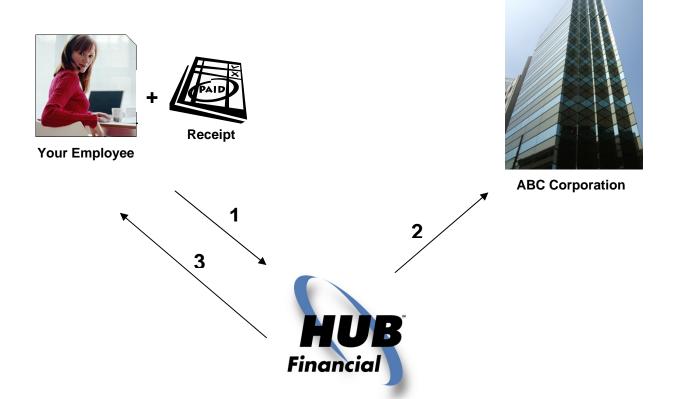
• GST of 5% required on 10% administration fee

Atlantic Provinces

• HST of 13% required on 10% administration fee



Sample Claim Flow



- 1. The employee incurs an eligible medical or dental expense and pays the practitioner (pharmacy, dentist etc.). The employee then completes the claim form, attaches the receipt, and submits it to HUB Financial Inc. directly.
 - If submitted through the employer, for privacy issues, the plan administrator should only be aware of the total amount to be reimbursed and not the claim details. They would then submit the amount plus administration costs with the appropriate funding to HUB Financial Inc.
- 2. HUB Financial Inc. will verify if funds are available for reimbursement under the Employers account. If there isn't any available, HUB will send an invoice for the amount owing to settle the claim.
- 3. Upon receipt and verification of an eligible claim and funding, HUB Financial Inc. will reimburse the employee directly.
- 4. The company receives a statement for all the paid claims, including all administration fees and applicable taxes, for income tax deduction purposes.



Cost Breakdown Example*

An employee goes to the dentist and incurs a \$1,000 bill which he or she has paid.

- Using the original receipt, the employee fills out a claim form (found at www.hubfinancial.ca) and submits both documents to HUB Financial Inc.
- HUB Financial Inc. will then invoice the employer \$1,113.00
 - \$1,000 cost of the original receipt
 - \$100 as 10% administration cost
 - \$13 for the HST of the administration cost
 - NOTE: Within Ontario, the total the company would be required to pay to their FlexSave™ account would increase by \$102 (8% PST and 2% Premium Tax on the expense and HUB fee). The full total of \$1,215 would be deductible to the business.

Benefit Options

For Incorporated Businesses

Upon set up, the employer must decide on the maximum benefit amount they wish to give each employee. The maximum must be consistent amongst employee class and cannot be discriminating by individual person (e.g. All office workers will receive \$2,000 annually). Separation of classes is **only** available to incorporated companies.

For Unincorporated Business with Arms Length* Employee(s)

If the unincorporated business has eligible Arms Length employees, the CRA sets the owner maximum in a differing manner. The owner's eligible amount in this case would be the lowest cost-equivalent coverage provided to their least-favored Arms Length employee. For example, if the owner provides only \$500 to an employee, then their personal deduction ability will also be limited to \$500 per annum.

Drug Card Availability

Pay-Direct Drug and Dental cards allows employees under FlexSave™ the ability pay only their portion of the claim. The balance is then billed directly by the pharmacy or dental office.

This premium service is available at an additional cost. For more information on this value-added service, please contact your HUB Financial regional FlexSave™ Specialist.







HUB Financial

^{*}Assuming a pay-as-you-go example (more information found in Funding Methods section).

^{*} Arms Length employee is one that is unrelated to the sole proprietor.

Funding Options

There are two different ways that a plan can be funded. The decision comes down to how the employer wishes to fund their benefit plan. Below are the two options available:

Method One: Company pre-funds FlexSave™ account with HUB Financial Inc.

By choosing this method, the employer has a choice between paying out a lump sum amount at the beginning of the year to HUB Financial Inc. or setting up a pre-authorized monthly withdrawal. Amounts for either will be based on the predetermined maximum that the employer decides to give his/her employees. When an employer pre-funds their account, the following process occurs:

- 1. Employee incurs eligible claim (dentist, pharmacy etc.) and initially pays up-front.
- 2. Employee submits claim form (found at www.hubfinancial.ca) plus **original receipt** to HUB (while keeping their own copy).
- 3. HUB withdraws from the company's pre-funded FlexSave™ account in the amount of the claim submitted, the 10% administration cost and any applicable taxes.
- 4. The employee receives reimbursement directly via Electronic Funds Transfer (recommended) or cheque.

Method Two: Company pays when expenses are incurred

- 1. Employee incurs eligible claim (dentist, pharmacy, etc.) and initially pays up-front
- 2. Employee submits claim form (found at www.hubfinancial.ca) plus **original receipt** to HUB (while keeping their own copy).
- 3. HUB invoices company for adequate funds to reimburse employee, cover the fee (10%), plus applicable taxes.
- 4. Once payment is received from the employer, the employee receives reimbursement directly via Electronic Funds Transfer (recommended) or cheque.

Note: Due to **privacy** issues HUB Financial Inc. recommends that each employee fill out their own claim form and submit it directly to the address listed on the form.



^{*} Recommended when groups are 5 or more.

^{*} It should be noted that this method slows the claim reimbursement to the employee.

What's Covered?

The general guiding principle for eligibility is that treatment must be conducted for medical reasons, and not for cosmetic purposes. Procedures covered under traditional employee benefits would be covered under FlexSaveTM.

Other less conventional expenses that would not typically be covered under a traditional benefits plan may be covered under FlexSaveTM.







The following list shows a broad range of medical and dental expenses allowable under CRA Guidelines. This list includes but is not limited to the following: For a detailed list visit http://www.cra-arc.qc.ca.

MEDICAL PRACTITIONER

- Acupuncturist
- Anesthetist
- Chiropractor
- Dentist
- Dermatologist
- Gynecologist
- Homeopath
- Naturopath
- Neurologist
- Masseur
- Obstetrician
- Optician
- Ophthalmologist
- OptometristOrthopedist
- Osteopath
- Pediatrician
- Physician

- Psychiatrist
- Psychologist
- Physiotherapist
- Nurse
- Speech Therapist
- Surgeon

MEDICINE & MEDICAL TREATMENT

- Alcoholism
- Birth Control Pills
- Blood Tests
- Cardiographs
- Contact Lenses
- Contraceptives
- Crutches

- Guide Dog
- Hearing Aids
- Fertility Drugs
- Hydrotherapy
- Insulin Treatment
- Lab Tests
- Laser Eye Surgery ■
- Metabolism Tests
- Post-Natal Care
- Pre-Natal Care
- Radium TherapyPrivate Hospital
 - Room
- Prescription Drugs
- Spinal Fluid Tests
- Splints
- Sterilization
- Vaccines
- Vasectomy
- Vitamins*

DENTAL TREATMENT

- Braces
- Crowns
- Bridges
- Dental X Rays
- Dentures
- Extractions
- Fluoridation
- Oral Surgery
- Gum Treatment
- Root Canal
- Fillings
- Examinations

OTHER EXPENDITURES

- Artificial Eve
- Artificial Limbs
- Bathroom Aids*
- Diathermy*
- Diagnostic Fees
- Diabetic Supplies*
- Cat Scan
- MRI
- Eve Glasses
- Oxygen Equipment ■
- Kidney Machine
- Hearing Impaired
 Equipment
- Heart Monitor*
- Needle & Syringe*
- Pacemaker
- Wheelchair

- X Ravs
- Transportation
 Relative to
 Healthcare
- Walking Aids*

Note: If you have any questionable expenses not listed on the CRA website, HUB Financial Inc. recommends contacting your Tax Advisor.



^{*} Requires prescription.

Frequently Asked Questions

Q: What is FlexSave™?

A: FlexSaveTM is a tax strategy that allows incorporated and unincorporated (with arms length employees) businesses to tax-deduct their employee benefit plan health and dental expenses in a tax-effective and cost-efficient manner. It is designed to provide employees with a tax free benefit for qualifying medical expenses they incur, paid for by their employer. The employer may be permitted to deduct the full amount as an operating expense.¹

FlexSave™ was formed using the guidelines set forth in Canada Revenue Agency (CRA) Income Tax Bulletins - IT-85 R2, IT-519, IT-529R2, IT-339 R2

Q: What is the cost?

A: There is a one-time set up fee of \$250 for the business. There are no premiums. There is a 10% administration fee (plus applicable taxes) on the eligible claim amount.

Q: Who administers FlexSave™?

A: HUB Financial Inc. acts as the administrator for this plan.

Q: Why use an administrator?

A: CRA IT Bulletin IT-85R2 indicates the requirement for a third-party administrator in order for the plan to meet eligibility.

Q: How is FlexSave™ administered?

A: The employee pays for the health and dental treatments. Claims forms are then submitted to HUB Financial. Once the claim has been verified by HUB as qualifying, and funded by the employer, the employee will be reimbursed directly.

Q: What happens to the money if it is prefunded on the plan?

A: The money your client contributes goes in a trust account and is withdrawn tax-free provided it is used for eligible healthcare or dental expenses. In accordance to CRA section 6 of IT85 R2, funds of the trust cannot revert to the employer or be used for any other purpose than providing health and welfare benefits for which the contributions are made.

Q: What is covered?

A: The expenses must qualify for reimbursement for an "eligible medical expense" as defined under subsection 118.2(2) of the Income Tax Act (or IT 519 R2), which includes many items not covered by most traditional medical and dental insurance plans.

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¹ Every tax situation is unique and can be quite complex. Clients should always seek independent tax advice before putting a FlexSave[™] plan in place or deducting expenses related to FlexSave[™].

Q: How do I submit a claim?

A: A copy of a claim form can be found on the FlexSave™ website: <u>www.hubfinancial.ca</u>

Each employee is asked to **fill out their own claim form** (due to the Privacy) and submit it to HUB Financial Inc. along with the original receipt.

Q: What if I already have coverage through my spouse?

A: If you are currently covered under an extended health and dental plan through a spouse, the FlexSaveTM plan is considered a second payor. Benefits will be coordinated with the other plan following industry standards. Under a traditional insurance plan, employees are often expected to pay a deductible or co-insurance out of their own pockets. These amounts may be expensed through our FlexSaveTM plan. Furthermore, any medical expenses that have exceeded a maximum or are not covered under a traditional insurance plan can be submitted to FlexSaveTM.

Q: What if I am a sole proprietor or partnership that is unincorporated?

A: As long as you meet the following requirements as set by the CRA, you may qualify for a FlexSave™ plan.

- 1. Your net income from self-employment (excluding losses and PHSP deductions) for the current year is more than 50% of your total income.
- 2. Your income from sources other than self-employment is \$10,000 or less for the current year.
- 3. You must have ARMS LENGTH EMPLOYEES (not related) also covered under the plan

When arms-length employees are eligible for benefits, the maximum amount that is offered to the employee is the maximum amount the business owner can take upon himself/ herself.

Q: What is the maximum allowable annual deduction for incorporated companies?

A: Corporations are not regulated in the same manner as unincorporated companies in regards to limitations; corporations have been granted the right to decide the employee's annual benefit allotment by class. While they haven't been regulated on dollar amounts, the CRA has indicated that benefits should be reasonable within relation to the employee's remuneration package.

Q: What are the taxation rules governing FlexSave™?

A: FlexSave[™] has been designed using the guidelines available from CRA. Every tax situation is unique and can be quite complex. Clients should always seek independent tax advice before putting a FlexSave[™] plan in place or deducting expenses related to FlexSave[™]

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¹ Every tax situation is unique and can be quite complex. Clients should always seek independent tax advice before putting a FlexSave[™] plan in place or deducting expenses related to FlexSave[™].

Q: What is Catastrophic Medical Coverage? Is it mandatory for FlexSave™ policy holders?

A: Catastrophic Medical Coverage (also known as Stop/Loss) is coverage that provides protection for employees should something medically catastrophic occur in province. The term catastrophic can refer to development of cancer, a major automobile accident, or any other unexpected occurrence. Under the stop/loss provision, once a person satisfies their deductible, the insurance company (SSQ Insurance) will cover subsequent costs up to a maximum amount. Catastrophic Medical coverage is not required but is strongly recommended.

Q: Can I expense Provincial Health Care premiums through my FlexSave™ program?

A: Provincial Health Care premiums cannot be expensed through your FlexSave[™] program. However, premiums that an employee or their spouse pays towards private, extended health and dental plans may qualify to be reimbursed through the FlexSave[™] program. Your client should discuss this with their tax advisor before implementing.

Q: What forms are required for creating a FlexSave™ account?

- **A:** 1) FlexSave™ Application This document explains the details of the Employer and plan structure
 - 2) Employee Enrollment Each employee is required to complete form. This document informs us about dependents and coverage details.
 - 3) Direct Deposit Form In order for reimbursement to occur in a timely manner, we recommend filling out this form
 - 4) Optional Forms Pre-Authorized Debit Agreement for Stop Loss Coverage and Pre-Authorized Debit for Monthly Deposit.







Emergency In-Province and Out-of-Province Coverage



In order to provide comprehensive coverage for your clients benefit plan, HUB Financial Inc. in conjunction with SSQ Insurance offers supplementary coverage to all FlexSave™ applicants. For a minimal cost, this coverage provides your clients with protection should a catastrophic medical event occur either in province or while traveling. These products are exclusively for FlexSave™ clients.

The coverage is in no way meant to replace traditional insurance. The In Province Catastrophic policy includes a pre-existing condition clause. The Travel policy does not include a pre-existing condition clause.

Travel Component¹

If your clients and/or your clients covered dependents require medical or surgical treatment outside of your own province of residence, this policy will pay certain covered expenses to a maximum of \$1,000,000.

There is no deductible associated with this component, however, is limited to a maximum trip length of 60 days.

In-Province Catastrophic Component¹

If your clients and/or your clients covered dependents require medical or surgical treatment due to injury, sickness or disease in their province of residence, this policy will pay for the following covered expenses after they have satisfied the deductible - \$1,500 per person.

The plan will then cover up to \$25,000 per category expense up to a combined maximum of \$125,000 annually subject to a total lifetime maximum of \$250,000. The applicable categories are as follows:

- a) Semi private hospital room and board
- b) Private nursing (ordered or prescribed by a Physician)
- c) Prescription drugs, sera and vaccines
- d) Ambulance (ground)
- e) Services of specific licensed practitioners
- f) Rental of durable medical equipment

	Monthly Cost	Annual Cost	Deductible
Single	\$8.75	\$100.00	\$1,500
Couple	\$16.65	\$190.00	\$1,500/person
Family	\$21.50	\$245.00	\$1,500/person

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¹ Please refer to the contract for full details of benefits and restrictions.

FlexSave™: Tips and Traps



Due to its nature involving employee and taxation issues, care should be taken to structuring the FlexSave™ program within any business. It is strongly recommended that your client review all plan setups and any questions with their tax advisor. The following information is guidelines only and should not be construed as advice.

Note: Applicable CRA bulletins can be found at the Canada Revenue Agency website (www.cra-arc.gc.ca).

Setting Maximum Benefits/Classifications

Structure and classes should be clearly defined before the plan is put in place and should be available in writing for employee review. There must be justifiable rationale as to why each class of employees is receiving differing benefits than another (as would be the case with traditional benefits). Benefits must be equal amongst classes and fair between classes. For example, by setting up one class with a benefit maximum of \$1,000, the next class should not exceed 2-4 times that benefit amount.

When attempting to determine a maximum for any employee, another rule of thumb to follow is to insure that the benefit amount does not exceed 10% - 15% of a persons annual income. In the benefits industry, it is rare to find individuals receiving more than that on a premium or reimbursement level.

Note: There are some unique restrictions on unincorporated businesses when setting maximums that will be addressed under the heading **Unincorporated Business with Arms Length* Employee(s)** on Page 6

Maintaining an Employee Benefit and Not a Shareholder Benefit

Programs like FlexSaveTM are designed to provide benefits for **employees** (see reference:IT bulletins IT85R2 and IT339R2). Thus, the plan should be extended beyond the ownership group to the employees. Failure to do so could result in CRA ruling the contributions as a shareholder benefit not an employee benefit. This could lead to the contributions not being deductible to the business and the benefit being taxable to the shareholder, certainly not a favorable outcome.

The appeal courts in Canada followed the above logic in the case of **Docket 2003-2910 (IT)I** between **Spicy Sports Inc.** and **Her Majesty the Queen**. CALU commented on this case by stating: "this case highlights the risks associated with establishing private health services plans only for shareholders and their families. Where there are other employees, the failure to include them in the plan will be an indication that the benefit is being provided by virtue of the shareholdings."



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Carry-Forward

The CRA has stated that there must be an element of risk to the employer. In order to satisfy this requirement a one year carry-forward period of the unused credits is maintained. If an employee does not use their allotment after the one year period, they will lose that portion. The employer is not required to offer carry-forward to their employees but should they choose to, the one year period will apply.

Example:

Annual maximum for employee is \$1,000

2005: employee spent \$500 in expenses

2006: employee eligible for \$1,500 for the year based on last year's unused credits

2006: year end, employee did not spend any amount. The \$500 carried forward from 2005 and

still unused is forfeited

2007: employee eligible for \$2,000 (\$1,000 from 2006 and \$1,000 from 2007)

No Reversion to the Employer

Paragraph 6 of IT-85R2 states that trust funds **cannot revert to the employer** or be used for any purpose other than providing health and welfare benefits for which contributions are made. CRA Tech Interpretation 1995 - 9433745 states that "acceptable uses of trust funds upon windup included distribution to a registered charity as defined in section 149.1 of the Act and the provision of additional qualifying benefits as described in paragraph 1 of IT 85R2 to the employees covered by the plan."

Primary Income Source

Self-employment/earned income must be the primary source of income in the year (over 50%). This is designed to prevent someone from setting up a business for the sole purpose of obtaining more tax-efficient paying of medical expenses. This also eliminates the use of investment/holding companies as they do not have "earned income" by definition of the CRA.



Forms and Paperwork Requirements

In order to apply for a FlexSave™ plan, the following forms need to be completed in full and submitted to the following address:

Attn: HUB Financial Inc. FlexSave[™] Department

Suite 1001, 3700 Steeles Avenue West Woodbridge, Ontario L4L 8M9

All forms are available on our website at www.hubfinancial.ca

Required Documents

1. Trust Application

one copy must be completed and signed by the employer

2. Employee Enrollment Form

- each employee including the business owner must complete
- includes Stop Loss / Travel Medical enrollment (strongly recommended)
- includes Direct Deposit authorization for claim reimbursement

Optional Documents

1. Pre-authorized debit

for companies that wish to pre-fund their FlexSave™ plan on a monthly basis

2. Pre-authorized debit for Stop/Loss monthly premium

for companies that wish to pay Stop/Loss insurance on a monthly basis

Administrative Documents

1. Claim Form

 required for every health and dental claim submitted and must be accompanied with original receipts



Administration and Marketing Support

For any of the following administration and post-sale inquiries regarding FlexSave™, please have your clients contact our administrative hotline:

- · Claims follow up
- New case submission follow up
- Employee enrollment follow up
- Change in employee dependent status
- Change in Company name
- Balance inquiries
- And any other administrative related issues...

Email: flexsave@hubfinancial.com
Phone: (800) 561-2405 (Ext. 2)



For any Pre-Sale related inquiries regarding FlexSave™, please contact your Regional FlexSave Specialist for information:

ONTARIO: (800) 561-2405
PRAIRIES: (800) 661-9228
BRITISH COLUMBIA: (800) 667-0310

