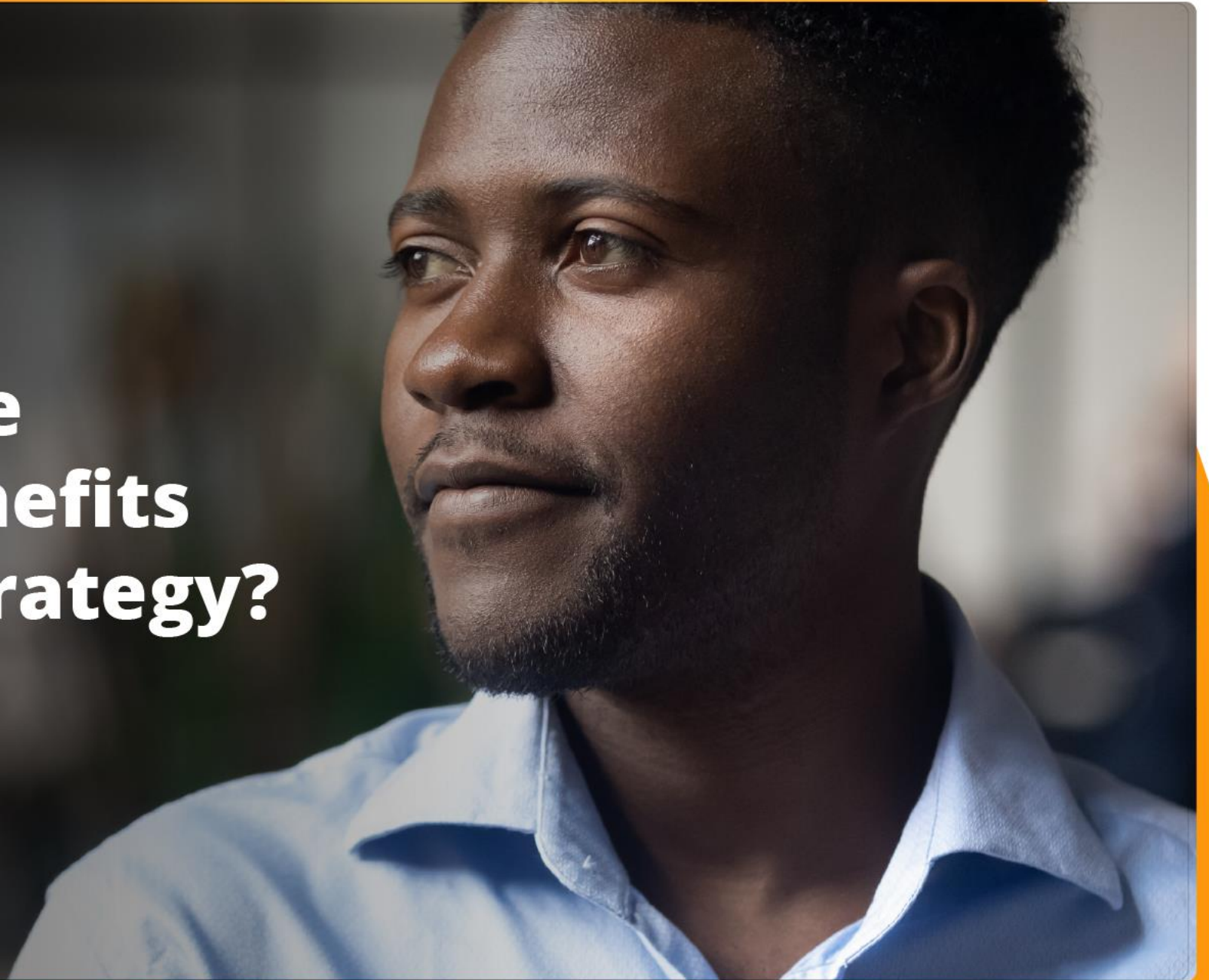




Can You Future Proof Your Benefits Compliance Strategy?



Meet the Speakers



Allison Wallace
Chief Legal Officer
Moderator



Ben Conley
Partner



Brooke Salazar, JD
Sr. Director of
Compliance



Bruce Gillis
Head of Compliance



What are you hoping to get out of today's webinar?

- A. I just need to know what my immediate to-dos are to stay compliant for 2025
- B. I want to get a better grasp on what major changes are in store for the next year
- C. I need help just getting the basics under my control
- D. Something else (I'll ask in the Q&A)



What's On the 2025 Compliance Horizon?



Pay Attention To

Why a change in administration matters:

- Potential for states to take opportunity to legislate in health and welfare
- Potential reversals made during outgoing administration
- ACA challenges at the federal level

Other things to keep an eye on:

- Web accessibility compliance
- Issues awaiting final ruling, including Mental Health Parity



Your To-Do List

- ☐ Review policy handbooks
- ☐ Review plan documents
- ☐ Review privacy notices



Mental Health Parity and Privacy Final Rule



Pay Attention To

What We're Watching:

- Mental Health Parity
- Reproductive Health Ruling
- HIPAA Rulings

Currently Being Challenged:

- **In Texas:** Out of State Reproductive Health HIPAA Requests



Key Dates

December 23, 2024:

Updating of the Reproductive HIPAA Attestation to Include the Privacy Rule Language

January 1, 2025:

Department of Labor can request a comparative analysis of mental health benefits; due w/in 10 days of request



Model Attestation for a Requested Use or Disclosure of Protected Health Information Potentially Related to Reproductive Health Care



Your To-Do List

- ☐ Review your mental health benefits offerings for any potential gaps
- ☐ Train staff on the HIPAA Privacy Rule and Reproductive Health
- ☐ Review pre-tax contribution accounts
- ☐ Review state paid leave
- ☐ Review health plan networks



Emergency Relief for Natural Disasters



Pay Attention To

DOL and treasury came out with relief for those impacted by recent hurricanes.

- Following same pattern as with COVID-19
- COBRA payment, special elections, claim submissions, etc.
- Geographic restrictions (south-east and date-bound to storms)
- No new qualifying event notices needed
- This does not cover 401k relief



Key Dates

May 1, 2025:

Deadline for relief from the established date of hurricane



Your To-Do List

Review impacted employees list

- ☐ **Send any necessary communications or benefits reminders**
- ☐ **Review any needs to re-process claims**
- ☐ **Talk to COBRA admin and TPAs**

Keep up with the Departments of Labor and Treasury for ongoing updates online



Fiduciary Governance in Welfare



Pay Attention To

What we're watching:

- Changes in your state-level pharmacy benefit laws
- Changes in prescription and medical formulary rules
- Pricing agreements and transparency rules

Currently Being Challenged:

- Johnson & Johnson lawsuit
- Tobacco surcharges (Campbells, Walmart, etc.)

What is a functional fiduciary?

Someone who manages the plan in the best interest of participants



Your To-Do List

- ☐ Review who your named fiduciary is for health plan(s)
- ☐ Establish training for your functional fiduciary members
- ☐ Consider establishing formal internal governance committee or other form to document adherence to good practices



Key Dates

January 1, 2025: certification

No deadlines for good fiduciary governance – but set regular schedules for review Mental health parity



How the New Administration Might Change Benefits



Pay Attention To

Continued challenges:

- Fixed indemnity
- COBRA
- State-level laws

Price transparency regulations

State laws in states you operate or employ in

Capping employee-sponsored insurance tax exclusions

Transportation consumer accounts

Potential reversals:

- ACA repeals and ICHRAs
- Mental health parity
- Reproductive health



Your To-Do List

- ☐ Review group health benefits plan documents
- ☐ Review transportation benefits
- ☐ Review medical travel, sick leave, and paid leave benefits
- ☐ Review equity of overall plan designs if multi-state employer



Key Dates

April 2026: WCAG deadline

End of 2025: Employer-sponsored tax incentives expire



How do you keep up with your compliance to-do list?

- A. Remembering to check newsletters, DOL, and other websites
- B. Partnering with my compliance and/or legal team
- C. Outsourcing
- D. I don't. Please help.



How You Can Future-Proof Compliance



Keep an eye to the future:

Bake in flexibility or provisions for different scenarios where possible.



Make sure you have access to the right data:

What do you need to make informed decisions for your organization? This may mean updating contracts or agreements to bake in provisions for this with external partners.



Use automation tools:

Partners and platforms like ComplianceDashboard can help take on more of the manual work while tailoring compliance information and due dates to your organization's unique needs.



Have a compliance process:

This should include cross-functional training on compliance matters and bringing in cross-functional partners in and outside of your organization.



Build Your compliance community:

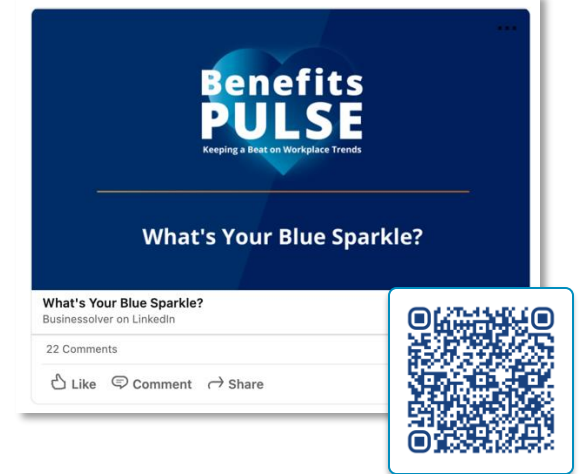
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