

WELFARE PLANS

OVERVIEW

Our welfare practice is comprehensive, encompassing group health, wellness, severance, disability and other welfare plans. We regularly advise clients on how to comply with Health Care Reform (i.e., PPACA), COBRA, HIPAA, FMLA, Mental Health Parity, GINA, Children's Health Insurance Program, Michelle's Law, HEART, as well as other statutory and regulatory matters impacting their welfare plans. In those instances when HIPAA invokes broader federal and state privacy issues, we work with a multi-disciplinary legal team to address such issues. Our multidisciplinary Influenza and Pandemic Preparedness Team comprised of benefit, labor, privacy and environmental lawyers, works with employers to implement a preparedness program and to respond appropriately when an employee is, or appears to be, infected.

Representative examples of our experience in this area include:

- Conducted nationwide education programs on health care reform compliance.
- Drafted welfare benefit plan “wrap documents” to enhance cost efficiency by eliminating the need to maintain two separate sets of plan documents (i.e., summary plan description and plan documents).
- Successfully represented clients in DOL audits over broad range of issues (e.g. plan assets and expenses, substantive compliance, and fiduciary issues).
- Successfully represented clients in disputes with CMS regarding medicare secondary payor and retiree drug subsidy matters.
- Provided guidance regarding the allocation and utilization of insurance reserves among multiple contributory and noncontributory welfare plans.
- Updated FMLA procedures and notices in light of new regulatory guidance.
- Advised clients how to cure federal and state privacy violations.
- Advised clients on successfully eliminating retiree medical arrangements.
- Successfully shifted COBRA obligations in connection with labor disputes and corporate transactions.

- Successfully litigated numerous claim denials, retiree benefit claims and 510 benefit interference claims.

MEET THE TEAM



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