



Program Agenda

"One Step Ahead of the Regulators: Risk Avoidance Tips for Plan Sponsors"

7:15-7:50am Registration and Continental Breakfast

7:50-8:00am Welcome

8:00-9:00am The Wacky World of Wellness Programs: How to Avoid Regulatory Landmines

In May of this year, the EEOC issued final wellness-program regulations under both the Americans with Disabilities Act (“ADA”) and the Genetic Information Nondiscrimination Act (“GINA”). These EEOC regulations extend far beyond the scope of the HIPAA wellness-program rules (as revised by the Affordable Care Act), applying even to employers that do not sponsor a health plan. In this session, we’ll:

- Summarize the new EEOC guidance;
- Compare the ADA and GINA rules to the HIPAA rules; and
- Suggest ways that employers might structure their wellness programs to avoid claims under any of these federal laws.

9:00-9:10am Break

9:10-10:10am Affordable Care Act Compliance Update: Tips for Avoiding Penalties

As the Affordable Care Act (“ACA”) approaches the end of its fifth year of implementation, new guidance continues to emerge. In this session, we’ll summarize the latest updates, including:

- Revisions to ACA reporting for 2017;
- What to do with Marketplace Notices;
- Final rules on affordability and minimum value;
- “Play-or-Pay” penalty assessment and appeal process; and
- “Employer Payment Plans.”

2016 Employee Benefits Seminar



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10:10-10:20a Break

10:20-11:20am Is Your Retirement Plan at Risk? Understanding New Audit and Litigation Trends

Small and mid-sized employers have long felt insulated from the costly ERISA litigation and government audits that plague the Fortune 500. That sense of security may no longer be justified. A new spate of litigation filed in the past 12 months includes challenges to 401(k) and 403(b) plans with fewer than \$10 million in assets and 120 participants. Aggressive IRS and Department of Labor audit initiatives also give fiduciaries good reason to worry. In this session, we'll evaluate the newest challenges for retirement plan fiduciaries, including:

- The recent surge of ERISA lawsuits;
- The effect of “strike suits” on small and mid-sized employers;
- New DOL and IRS audit initiatives; and
- Practical techniques for measuring and minimizing retirement plan risk.

11:20am Closing Remarks