

EBIA 2017 Advanced Cafeteria Plans and Benefits Conference

Thomson Reuters Checkpoint Learning

Day 1 Agenda • Wednesday, July 12, 2017

7:45 a.m. *Registration/Continental Breakfast*

8:30 a.m. Highlights of Legislative and Regulatory Developments

This session delivers the key compliance-related developments affecting cafeteria plans and health benefits over the past year, along with practical impacts for employers, administrators, and advisors.

9:30 a.m. Six Months In: Transition Planning and What Lies Ahead (Part I)

Our panel of experts will share their insights and analyze the Trump Administration's "repeal and replace" efforts to date—including pending proposals and agency enforcement positions. Topics may include ACA reporting, ACA market reform mandates, taxes (including Cadillac tax and PCOR fees), plan design, and consumer-driven health care. Later in the Conference, Part II will provide an interactive format to address audience questions and a practical, compliance-minded review of the impact of current proposals.

10:30 a.m. *Coffee Break*

10:45 a.m. Benefits Litigation Update

An overview of recent federal court decisions, including cases involving ERISA, COBRA, Title VII, and the EEOC's wellness program regulations—and the practical impacts for employers, administrators, and advisors. We also expect a decision from the U.S. Supreme Court on the breadth of ERISA's church-plan exception.

11:45 a.m. Your Questions

Noon *Lunch Break*

1:30 p.m. Hot Topics for Cafeteria and Account-Based Plans

This session will cover a "grab bag" of design and administration issues affecting cafeteria plans, health FSAs, HRAs, and HSAs—including the potential impact of Affordable Care Act changes. Topics may include lifting of the cap on health FSA contributions, reimbursement of OTC drugs, and HRA and HSA developments.

2:30 p.m. Wellness Programs: Privacy Implications

This session will explore privacy issues (under HIPAA, the ADA, and GINA) associated with workplace wellness programs—including the recent trend toward employer-provided wearable activity-tracking devices.

3:30 p.m. *Coffee Break*

Note: Agenda and speakers are subject to change for late-breaking developments or unavailability.

- 3:45 p.m. Designing and Implementing a HIPAA Breach Response Plan**
How to create a workable incident response plan before a potential breach occurs. We'll use OCR's recent ransomware guidance to illustrate application of the four-factor test, and share practical tips for implementing the notification process when a breach has occurred.
- 4:45 p.m. Your Questions**
- 5:00 p.m. Day 1 Program Instruction Ends; Cocktail Reception Follows*

Day 2 Agenda • Thursday, July 13, 2017

- 8:00 a.m. Sign-in/Continental Breakfast*
- 8:30 a.m. Qualified Small Employer HRAs and Other Developments Affecting HRAs**
Now that small employers can reimburse employees for individual medical coverage, what practical implementation and administration issues need to be addressed? And will stand-alone HRAs expand?
- 9:30 a.m. Excepted Benefits: Why They Still Matter**
This session will explore the categories of excepted benefits and analyze their continuing relevance in light of ACA "repeal and replace" efforts.
- 10:30 a.m. Coffee Break*
- 10:45 a.m. Q&A Panel: Cafeteria Plan Expenses, Elections, and Nondiscrimination**
Panelists will illustrate the Code's rules for health FSA and DCAP expense reimbursements, cafeteria plan elections, and nondiscrimination by responding to scenarios and questions submitted in advance by conference participants. Please remember to submit your questions!
- Noon Lunch Break*
- 1:30 p.m. The "Other" Discrimination Rules: Title VII, ACA Section 1557, and More**
We'll explore the various federal laws prohibiting discrimination (Title VII of the Civil Rights Act, Section 1557 of the ACA, the ADA, ADEA, PDA, and GINA), with a focus on recent regulations and litigation addressing discrimination based sexual orientation and gender identity. (Note: This session may be replaced with another topic in the event of legislative or regulatory changes.)
- 2:30 p.m. Your Questions**
- 2:45 p.m. Coffee Break*
- 3:00 p.m. Plan Design Trends: "Skinny" Plans, Narrow Networks, and Reference-Based Pricing**
What's the latest on these plan design trends—and how might legislative and regulatory changes affect them? Additional topics may include direct contracting, bundled payments for episodes of care, and domestic medical tourism.

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- 4:00 p.m. Six Months In: Transition Planning and What Lies Ahead (Part II)**
Our panel reconvenes to answer your questions about the latest “repeal and replace” developments, including action steps and what employers and administrators can do now to prepare for 2018.
- 5:15 p.m. Day 2 Program Ends*

Day 3 Agenda • Friday, July 14, 2017

- 8:00 a.m. Sign-in/Continental Breakfast*
- 8:30 a.m. Mergers & Acquisitions: Integration Challenges for Employers and TPAs**
Our panel will address the practical challenges faced by employer plans, and their TPAs, in integrating acquired employees into the employer’s benefits structure. And we’ll touch on how consolidation within the TPA industry affects not only TPA firms, but also their employer clients.
- 9:30 a.m. Your Questions**
9:45 a.m. Coffee Break
- 10:00 a.m. Leaves of Absence: Implications for Cafeteria and Group Health Plans**
With a focus on best practices and compliance tips, this session will explore the special challenges that employee leaves of absence (under the FMLA or as an employer policy) can create for cafeteria and health plan administration.
- 11:00 a.m. Advanced COBRA Issues**
Speakers will “charm” the audience by tackling your “deadliest” COBRA challenges—picking up on the leave of absence issues addressed in the prior session, we’ll also delve into how COBRA applies in connection with severance, the interaction of COBRA and Medicare, and correction of COBRA failures.
- 12:00 p.m. Your Questions**
12:30 p.m. Conference Ends

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