



## **Presentation Descriptions**

Under Title I of the Employee Retirement Income Security Act (ERISA) the Department of Labor's Employee Benefits Security Administration (EBSA) is committed to educating and assisting the nearly 154 million workers, retirees and their families covered by approximately 722,000 private retirement plans, 2.5 million health plans, and similar numbers of other welfare benefit plans holding approximately \$10.7 trillion in assets; as well as plan sponsors and members of the employee benefits community. EBSA balances proactive enforcement with compliance assistance and works diligently to provide quality assistance to plan participants and beneficiaries. The agency's mission is to assure the security of the retirement, health and other workplace related benefits of America's workers and their families. It is the policy of EBSA to provide the highest quality of service to its customers.

### Potential Program Topics on Retirement:

#### **GETTING IT RIGHT – KNOW YOUR FIDUCIARY RESPONSIBILITIES**

This presentation provides an introduction to fiduciary responsibilities under ERISA. The presentation also provides an overview of the Voluntary Fiduciary Correction Program (VFCP). The main topics discussed include:

- Fiduciary Education
- How to avoid common problems
- Voluntary correction programs
- EBSA's guidance regarding COVID-19

#### **PARTICIPANT LEVEL AND FIDUCIARY LEVEL FEE DISCLOSURE**

This presentation explains EBSA's guidance with regard to participant fee disclosures under ERISA Section 404(a)(5). The main topics discussed include:

- Effective and applicability dates of the regulation
- The scope of the disclosures
- Type of information that needs to be disclosed
- Website requirements, format, and timing of disclosures

This presentation also explains EBSA's guidance with regard to service provider disclosures under Section 408(b)(2). The main topics discussed include:

- The goal of the regulation
- The scope of the disclosures
- Definition of covered service providers
- Remedies for failure to meet the requirements of the regulation

## **VOLUNTARY FIDUCIARY CORRECTION PROGRAM (VFCP)**

This presentation explains EBSA's Voluntary Fiduciary Correction Program (VFCP). The VFCP is designed to encourage employee benefit plan sponsors, officials, and parties in interest to voluntarily comply with ERISA by self-correcting certain violations of the law. The main topics discussed include:

- Discussion of the 19 transactions covered by the VFCP
- VFCP advantages
- Guidance regarding correction
- VFCP eligibility
- How to apply
- Class exemption for excise tax relief

## **CHOOSING A RETIREMENT SOLUTION FOR YOUR SMALL BUSINESS**

This presentation discusses the advantages of sponsoring a retirement plan and some of the varied options available. The main topics discussed include:

- The reasons a small business may want to offer a retirement plan
- Tax advantages of retirement plans
- Who can start a retirement plan
- The various types of plans from the most simple to the most complex
- Things to consider about the different types of retirement plans

## **WHAT TO EXPECT FROM A RETIREMENT PLAN INVESTIGATION**

This presentation provides information with regard to the investigation of private sector employment-based retirement plans. The main topics discussed include:

- EBSA's enforcement initiatives
- What to expect from an EBSA audit
- Information/documentation needed for audits
- EBSA's self-correction programs
- EBSA's guidance regarding COVID-19

## **Potential Program Topics on Health Care:**

### **WHAT IT MEANS TO BE A GROUP HEALTH PLAN FIDUCIARY**

This presentation provides a general overview of the fiduciary provisions of ERISA as they apply to group health plans, and how to avoid problems in administering a group health plan. The main topics discussed include:

- What is an ERISA group health plan
- What is an ERISA fiduciary
- Fiduciary duties
- Steps to take to avoid problems, including:

- Selection of service providers
- Reporting & disclosure obligations
- Understanding the plan & responsibilities
- DOL claims regulation
- Contributions
- Prohibited transactions/exemptions
- EBSA correction programs
- EBSA's guidance regarding COVID-19

### **TITLE 1, PART 7 GENERAL OVERVIEW**

This comprehensive presentation outlines, in general and at length\*, the various requirements under Part 7 of ERISA. The main topics discussed include:

- Laws contained in Part 7 of ERISA
- Arrangements subject to Part 7 of ERISA
- The Affordable Care Act (ACA)
- The Health Insurance Portability and Accountability Act (HIPAA), non-discrimination and wellness programs
- Mental Health Parity and Addiction Equity Act (MHPAEA)
- Internal claims and appeals and external review
- Executive Order 13813 (Association Health Plans, Short-Term Limited-Duration Insurance, Health Reimbursement Arrangements)
- Executive Order on Improving Price and Quality Transparency in American Healthcare to Put Patients First
- Disclosure requirements under Part 7 of ERISA
- Additional compliance tips and tools
- EBSA's guidance regarding COVID-19

\* Please note, this in-depth presentation can take 2-3 hours, but it is possible to offer an abbreviated overview as well. If you are limited in time, you may also consider the following presentation descriptions below (HIPAA, MHPAEA, and Federal Health Updates).

### **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

This presentation provides an overview of obligations under the HIPAA non-discrimination provisions governing group health plans and wellness programs. The main topics discussed include:

- A brief overview of EBSA
- An introduction to HIPAA and the exception to the non-discrimination requirements
- Two types of bona-fide wellness programs
- The five requirements for health-contingent wellness programs
- Disclosure requirements under Part 7 of ERISA
- Additional compliance tips and tools

## **MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT (MHPAEA)**

This presentation provides an overview of obligations under MHPAEA. The main topics discussed include:

- A brief overview of EBSA
- Applicability of the law to group health plans
- Financial requirements and quantitative treatment limitations
- The 6 classifications of benefits to compare for parity
- Examples of parity
- Special Rules
- Overview of non-quantitative treatment limitations
- Disclosure requirements under Part 7 of ERISA
- Additional compliance tips and tools

## **FEDERAL HEALTH BENEFITS LAWS: HEALTH COVERAGE UPDATES**

This presentation provides an overview of Executive Order 13813, expanding access to Association Health Plans (AHPs), the availability of Short-Term Limited-Duration Insurance (STLDI), and the availability and permitted use of Health Reimbursement Arrangements (HRAs). The main topics discussed include:

- A brief overview of EBSA
- An update on the availability of AHPs
- The Final Rule regarding STLDI
- An overview of the individual integration HRA requirements
- An overview of the excepted benefit HRA requirements
- Disclosure requirements under Part 7 of ERISA
- Additional compliance tips and tools

## **CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)**

This presentation provides an overview of obligations under COBRA for employees and their families to continue their private sector employment-based group health coverage. The main topics discussed include:

- Who is entitled to COBRA continuation coverage
- What plans are covered by COBRA
- COBRA qualifying events
- COBRA qualified beneficiaries
- COBRA notice and election procedures
  - Recently updated Model notices
- Duration of COBRA continuation coverage
- Paying for COBRA continuation coverage
- COBRA coordination with other federal benefit laws
- EBSA's guidance regarding COVID-19 and extension of COBRA timeframes

## **WHAT TO EXPECT FROM A HEALTH PLAN INVESTIGATION**

This presentation provides information with regard to the investigation of private sector employment-based health or welfare benefit plans. The main topics discussed include:

- EBSA's enforcement initiatives
- What to expect from an EBSA audit
- Information/documentation needed for audits
- EBSA's self-correction programs
- EBSA's guidance regarding COVID-19

## **Potential Participant Presentations:**

### **SAVINGS FITNESS: A GUIDE TO YOUR MONEY AND YOUR FINANCIAL FUTURE**

This presentation helps individuals succeed in setting financial and retirement goals. This presentation is for individuals who want to make saving for retirement a priority, including those who are just starting their careers. The main topics discussed include:

- Making the most of employment-based retirement savings plans
- Goal-setting strategies for savings
- Learning why participants should put retirement high on the list of priorities

### **TAKING THE MYSTERY OUT OF RETIREMENT PLANNING**

This presentation helps individuals unravel the mystery of retirement in order to reach retirement goals. This presentation is designed for people who are 10 to 15 years from retirement, and offers a simplified, bottom-line approach to figuring out how much to save and how to make money last over a possibly long retirement. The main topics discussed include:

- Savings, 401(k) plans, home equity, and other assets
- Spending and expenses in retirement
- Filling the gap in retirement savings

### **WORK AND LIFE CHANGES REQUIRE HEALTH CHOICES**

This presentation provides practical information about how individuals can maintain or obtain health coverage when work or life changes occur (i.e. job loss, starting a new job, marriage, or birth of a child). This presentation also helps individuals understand federal health benefit laws so they can make timely and informed decisions. The laws discussed include:

- COBRA
- HIPAA
- ERISA
- ACA
- EBSA's guidance regarding COVID-19 and extension of certain timeframes

## **WHAT YOU SHOULD KNOW ABOUT YOUR RETIREMENT PLAN**

This presentation provides general information for employees about their private sector employment-based retirement plans. The main topics discussed include:

- Types of retirement plans
- Earning retirement benefits
- Plan-related information to review and retain
- Payment of benefits
- Filing a claim for benefits
- Responsibilities of plan fiduciaries
- Impact of mergers, termination, or bankruptcy on a plan participant
- EBSA's guidance regarding COVID-19