

IN THE KNOW

Bulletins for Benefits & HR Professionals



February 18, 2021

Biden Justice Department Formally Changes Positions in ACA Supreme Court Case

“The letter is unlikely to have a substantive impact on the Court's decision. Briefing has long been complete, and oral argument was held three months ago. The ACA was well defended by a coalition of Democratic attorneys general. Even so, the Biden administration clearly felt it was important to make its position known to the Court.”

[Full Article](#)

Health Affairs Blog



Incentivizing (COVID-19) Vaccinations: What Employers Need to Know

“Employers that offer incentives to employees to get vaccinated may be creating group health plans under ERISA. In addition, incentivized vaccination programs may need to comply with HIPAA. Guidance issued under the Genetic Information Nondiscrimination Act of 2008 (GINA) provides a road map for employers to avoid running afoul of GINA.”

[Full Article](#)

Ogletree Deakins

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Ninth Circuit: Employer Has Fiduciary Duty to Provide Adequate Notice of Life Insurance Conversion Rights

“The Ninth Circuit reversed a district court's holding that the employer had no fiduciary duty under ERISA, aside from providing an insurance certificate/summary plan description (SPD), to notify the participant that his life insurance coverage would end. In the court's view, the certificate/SPD was ambiguous.” [Full Article](#)

Thomson Reuters Practical Law



New Mental Health Parity Disclosure Requirements Require Swift Action (PDF)

“Plans and insurers must be prepared to disclose comparative analyses to document compliance with the existing rules under the MHPAEA governing non-qualitative treatment limitations (NQTLs).” [Full Article](#)

Sherman Howard



ACA Executive Actions and Legislative Outlook

“This alert provides an overview of Executive Order 14009 and its implications, as well the legislative outlook for ACA-related legislation in Congress.” [Full Article](#)

Akin Gump

DOL Announces Fiscal Year 2020 Enforcement Statistics, Reflecting Record-Setting Recovery Amount

“For the year, the DOL handled 171,863 inquiries. EBSA closed 230 criminal investigations, which led to 59 guilty pleas or convictions and the indictment of 70 persons (including plan officials, corporate officers, and service providers) for crimes related to employee benefit plans.” [Full Article](#)

Thomson Reuters / EBIA