

IN THE KNOW

Bulletins for Benefits & HR Professionals



August 17, 2022

Federal Court Approves BCBSA \$2.67 Billion Settlement, Acknowledges Importance of ERISA Fiduciary Duties

“Employers who made a claim should be aware that they may have fiduciary duties under ERISA with respect to the use of any proceeds from the settlement fund. In its approval order the court stated that all ERISA fiduciaries must comply with those duties.... [T]he court acknowledged that while the settlement funds are not 'plan assets' at the time of their distribution, the [DOL] may take the position that some of those settlement funds are 'plan assets' after distribution.” [Full Article](#)

Miller Johnson



Benefit Plan Deadlines Extended Again for States of Emergency

“Absent a further continuation or early termination, the National Emergency will end on February 28 2023. Absent a further extension, the Public Health Emergency will expire in mid-October 2022. When these emergencies do finally end, plan sponsors should be prepared to send communications to participants about the end of the extensions and review their plan documents to account for any changes after the end of the period.” [Full Article](#)

Graydon

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Employer Violated Title VII by Revoking Health Coverage for Employee's Same-Sex Spouse

"A dependent audit performed by the plan's administrator flagged the same sex spouse's coverage. Consistent with the employer's religious belief the HR executive informed the employee that the spouse's coverage would be terminated at the end of the month. The employer argued that it was exempt from Title VII based on its status as a religious organization. Rejecting this interpretation, the district court concluded that religious organizations are not exempt from Title VII's prohibition against discrimination based on characteristics other than religion." [Full Article](#)

Thomson Reuters Practical Law



White House Addresses Access to Reproductive Health Care, Including Abortion, in Second Post-Dobbs Executive Order

"The White House executive order announces a policy of supporting women's ability to access reproductive health care by traveling to seek abortion care in states where it is legal." [Full Article](#)

Thomson Reuters Practical Law



Navigating Mental Health Parity Requirements for Travel Benefits

"Many employers are considering implementing travel reimbursement options to assist employees who wish to seek abortions that might be restricted by the law in their home states. In this post, the authors take a deeper dive into the MHPAEA requirements, its limited exceptions, how employers might be able to comply with those rules when making

a travel benefit available, and provide a brief overview of how employers might prepare for an MHPAEA audit."

[Full Article](#)

Dickinson Wright

Transparency Laws and Inflation May Strain Relationship Between Providers and Insurers

"Insurers and plan providers may find that the valuable data they have been expecting from hospitals is already obsolete. Inaccurate data may lead to providers being unable to set appropriate reimbursement rates or offer accurate hospital rate information for their members. This phenomenon could lead to a strain on the historically close relationship between hospitals and insurers." [Full Article](#)

Hall Benefits Law