

Weekly Digest

• March 18, 2024 •

EMPLOYEE
BENEFITS

Are HIPAA Covered Entities and Business Associates Required to Have a Risk Analysis and a Risk Management Plan?

"QUESTION: What is the difference between a HIPAA risk analysis and a risk management plan? Do covered entities and business associates need both?" [Full Article](#)

Thomson Reuters / EBIA



IRS Alert: Beware of Companies Misrepresenting Nutrition, Wellness and General Health Expenses as Medical Care for FSAs, HSAs, HRAs and MSAs

"Amid concerns about people being misled, the Internal Revenue Service today reminded taxpayers and health spending plan administrators that personal expenses for general health and wellness are not considered medical expenses under the tax law." [Full Article](#)

Internal Revenue Service [IRS]

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By, Internal Revenue Service [IRS]

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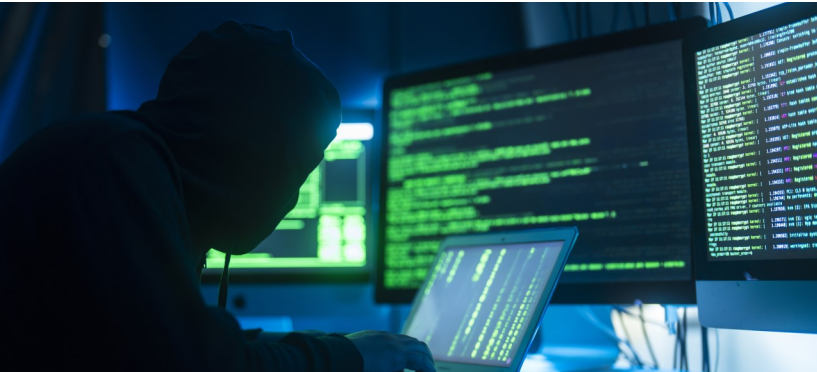
Employers Consider Post-Dobbs Playbook in Dealing with Alabama Ruling on IVF Treatments

By, Seyfarth Shaw LLP

ACA-Required Coverage of Contraceptive Care Remains Agency Focus

"Once again, the U.S. Departments of Labor, Health and Human Services, and the Treasury have issued guidance on the Affordable Care Act's (ACA) required coverage of contraception without cost sharing, clarifying the permitted use of reasonable medical management techniques to set coverage limitations on contraceptive care." [Full Article](#)

Ogletree Deakins



Hacking at UnitedHealth Unit Cripples a Swath of the US Health System: What to Know

"Early in the morning of Feb. 21, Change Healthcare, a company unknown to most Americans that plays a huge role in the U.S. health system, issued a brief statement saying some of its applications were 'currently unavailable.' By the afternoon, the company described the situation as a 'cyber security' problem." Since then, it has rapidly blossomed into a crisis. The company, recently purchased by insurance giant UnitedHealth Group, reportedly suffered a cyberattack. The impact is wide and expected to grow." [Full Article](#)

KFF Health News

Court Finds Health Plan Not Required to Furnish Administrative Service Agreements in Response to ERISA Document Request

"In *Zavislak v. Netflix, Inc.*, the U.S. District Court for the Northern District of California has largely rejected a plaintiff's assertion that an employer/plan administrator for an ERISA self-funded group health plan failed to timely furnish certain plan documents, including the plan's claims administration documents, after the plaintiff's written request." [Full Article](#)

The Wagner Law Group



Employers Consider Post-Dobbs Playbook in Dealing with Alabama Ruling on IVF Treatments

"Seyfarth Synopsis: Last week, the Alabama Supreme Court ruled that cryogenically frozen embryos are children and are protected from destruction under state law. This is the latest in a series of post-Dobbs judicial rulings and state laws that have upended access to reproductive healthcare. In the wake of the ruling, employers are considering creative options to aid employees in Alabama whose family planning goals have been disrupted." [Full Article](#)

Seyfarth Shaw LLP