

Weekly Digest

• May 24, 2024 •

EMPLOYEE BENEFITS

Health & Welfare Plan Contribution and Benefit Limits Announced for 2025

"The IRS recently released Rev. Proc. 2024-25, which provides the inflation-adjusted limits related to health savings accounts (HSAs), high deductible health plans (HDHPs), and excepted benefit health reimbursement arrangements (HRAs) for the 2025 calendar year." [Full Article](#)

Winston & Strawn LLP



Does Section 1557 Apply to Employer Group Health Plans? (And — Why That Question May Not Even Matter)

"While most employer health plans will not be considered covered entities under the Final Rule (and, as such, will be exempt from many of the rule's process requirements), employers will likely determine they cannot impose such exclusions or limitations regardless, either by operation of the rule's impact on their third-party administrator, or due to other Federal laws." [Full Article](#)

Seyfarth Shaw LLP

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HHS Amends HIPAA Privacy Rule to Strengthen Protections for Reproductive Health Care

"Many group health plans have made it clear that they will only cover reproductive health care that is legal in the state in which it is obtained. Therefore, in most circumstances, it is expected that group health plans would generally not have knowledge of illegally obtained reproductive health care." [Full Article](#)

Eversheds Sutherland (US) LLP



District Court Dismisses Class Action Seeking Wilderness Therapy Benefits

"The court found no violation of MHPAEA on the face of the plans themselves because the plans' language broadly excluded any "experimental, investigational, or unproven" treatment, whether for mental health/substance use disorders or medical/surgical benefits. Similarly, the court determined that plaintiffs' allegation that Cigna tailored its coverage guidelines to exclude mental health/substance use disorder treatment was purely speculative." [Full Article](#)

Proskauer Rose LLP

Oklahoma Seeks Reversal of Tenth Circuit's ERISA Preemption Ruling

"Oklahoma's insurance department asked the U.S. Supreme Court to review the Tenth Circuit's decision in *PCMA v. Mulready*, 78 F.4th 1183 (10th Cir. 2023), which held that parts of an Oklahoma law regulating pharmacy benefit managers (PBMs) were preempted by ERISA and by Medicare Part D." [Full Article](#)

Miller & Chevalier Chartered



Ounce of Prevention: Do You Have Business Associate Agreements With Every Required Party?

"It is critical for all entities who create, receive, maintain or transmit PHI to ensure they have [business associate agreements (BAAs)] in place. Covered entities (CEs) must ensure they have BAAs with all of their business associates (BAs); BAs must ensure they have BAAs with CE customers and BA subcontractors; subcontractors also need to ensure they have BAAs in place with their BA customers (often known as sub-BAAs). All parties need to ensure their BAAs comply with the statutory requirements, at a minimum." [Full Article](#)

McGuireWoods