

Weekly Digest

• June 25, 2024 •

EMPLOYEE
BENEFITS

New HIPAA Privacy Protections for Reproductive Healthcare: What You Need to Know and 5 Steps You Can Take Now

“While the rule may not significantly change the scope of health information that is protected under HIPAA, you will need to implement certain changes to comply, including revising your HIPAA Notice of Privacy Practices. We’ll explain everything you need to know and give you five steps you should considering taking to comply before the applicable deadlines.” [Full Article](#)

Fisher & Phillips LLP



What Employers Should Know About Summer Intern Programs

“While bringing on summer interns can provide a wide array of benefits to a company, employers must be careful to create a legally compliant internship program in order to avoid any risk of liability. Below we have provided a non-exhaustive list of frequently asked questions and answers related to summer internship programs utilized by for-profit, private employers.” [Full Article](#)

Parker Poe Adams & Bernstein LLP

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May COBRA Coverage Be Terminated Retroactively When an Employee’s Gross Misconduct Is Discovered After Coverage Has Begun?

"Courts have generally reasoned that an employer’s decision to deny COBRA based on gross misconduct should be evaluated based on evidence available to the employer at the time of the employee’s discharge. The U.S. Supreme Court has rejected an employer’s use of after-acquired evidence to justify a termination of employment, and several courts have similarly rejected the use of after-acquired evidence of gross misconduct in the COBRA context." [Full Article](#)

Thomson Reuters / EBIA



Employer Coverage of GLP-1 Drugs on the Rise

"Employers indicated the following coverage for GLP-1 drugs: 57% provide coverage for diabetes only (up from 49% in 2023); 34% provide coverage for both diabetes and weight loss (up from 26% in 2023). Of those that currently only offer GLP-1 coverage for diabetes, 19% are considering offering the drugs for weight loss." [Full Article](#)

International Foundation of Employee Benefit Plans

ERISA Group Health Plans – The New Target in Fee Cases

"Established case law and DOL guidance supports a fiduciary prudence standard that looks at the overall economics of the service provider arrangement versus a more limited focus on any specific item or service. This is especially true with health and welfare plans where the number of covered items or services may be in the tens of thousands." [Full Article](#)

Groom Law Group



Court Awards More Than \$32,000 in ERISA Penalties for Failure to Provide MHPAEA-Related Plan Documents

"The dependent's parent requested that the plan provide (among other documents) a full copy of the medical necessity criteria that the plan used regarding 'skilled nursing facilities, sub-acute inpatient rehabilitation treatment, and inpatient hospice treatment.'" [Full Article](#)

Thomson Reuters Practical Law