

Weekly Digest

• August 15, 2024 •



EMPLOYEE
BENEFITS

Why Many Nonprofit (Wink, Wink) Hospitals Are Rolling in Money

“These diversified businesses are, in fact, some of the country’s largest nonprofit hospital systems. And they have somehow managed to keep myriad for-profit enterprises under their nonprofit umbrella — a status that means they pay little or no taxes, float bonds at preferred rates, and gain numerous other financial advantages. Through legal maneuvering, regulatory neglect, and a large dollop of lobbying, they have remained tax-exempt charities, classified as 501(c)(3)s.” [Full Article](#)

KFF Health News

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Hole in the Bottle... Employer Considerations After Another Lawsuit Against an Employer Health Plan

“Last week, former Wells Fargo employees filed a class action lawsuit against Wells Fargo and its health plan fiduciaries alleging that Wells Fargo’s self-funded health plan violated ERISA by paying its pharmacy benefits manager (PBM) excessive administrative fees and excessive fees for prescription drugs. This lawsuit appears to be similar to a lawsuit filed against Johnson & Johnson and its health plan fiduciaries earlier this year.” [Full Article](#)

Holland & Hart LLP

Michigan Supreme Court Voids Current Minimum Wage and Paid Medical Leave Law and Reinstates 2018 Ballot Initiatives

"The Michigan Supreme Court's Opinion voids the state's current minimum wage law (called the Improved Workforce Opportunity Act) and the current Michigan Paid Medical Leave Act and reinstates the Wage Act and the Earned Sick Time Act as they were originally adopted by the Michigan Legislature in September 2018 (with adjustments for inflation)." [Full Article](#)

Miller, Johnson, Snell & Cummiskey, P.L.C.



HIPAA Reproductive Health Care Rule: HHS Publishes Model Attestation

"Recently, HHS published a model attestation that covered entities and business associates may, but are not required to, use. The model attestation is intended to meet the requirements to be a valid attestation under the Reproductive Health Care Rule." [Full Article](#)

Proskauer Rose LLP

New York Employers Must Provide Paid Lactation Breaks: 4 Key Takeaways

"New York State amended its Labor Law to require employers to provide nursing employees with 30-minutes of paid break time to express breast milk at work, enhancing a law that previously permitted reasonable, unpaid break time. This new paid time must be provided each time an employee has a reasonable need to express breast milk and can be extended through existing paid breaks or mealtimes if the employee needs more than 30 minutes to express breast milk." [Full Article](#)

Fisher & Phillips LLP



Ignoring Request for Documents Can Be Costly for Health Insurer

"The plaintiffs requested that the plan provide copies of both sets of guidelines, but their request was ignored. The court found the failure to provide the requested documents was a violation of both the law under the Employee Retirement Income Security Act that governed the claim, as well as a violation of the Parity Act's regulations." [Full Article](#)

DeBofsky Law, Ltd.