

Weekly Digest

• September 25, 2024 •



EMPLOYEE
BENEFITS

Stop-Loss Premiums Increase to Over 10% Annually

"High-dollar claimants continue to concern employer-sponsored health plans in the U.S. Those that self-fund and purchase medical stop-loss coverage have seen premiums continuing to rise over 10% annually, as reported by the 2024 *Aegis Risk Medical Stop-Loss Premium Survey*, cosponsored by the International Society of Certified Employee Benefit Specialists."

[Full Article](#)

International Foundation of Employee Benefit Plans



PBM Reform: Deem PBMs a "Fiduciary" Under ERISA

"If subject to the same ERISA fiduciary duties as plan sponsors, PBMs would effectively be required to act in the best interest of plan participants and help keep plan costs low. Importantly, PBMs could not engage in self-dealing or other profiteering tactics like many do today." [Full Article](#)

The ERISA Industry Committee

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Final Mental Health Parity Regulations Released, with Plan Sponsor Action Required by 2025

"Last week, the Departments of Labor, Treasury, and Health and Human Services finalized regulations implementing the Mental Health Parity and Addiction Equity Act of 2008. Although the final regulations step back from certain burdensome aspects of the proposed rules, compliance with the final rules will require action from virtually all group health plans that cover mental health and substance use disorder benefits before the end of the year." [Full Article](#)

Proskauer Rose LLP



Recent Legislative Developments Impacting Pharmacy Benefit Managers, Health Plans & More

"There are currently four bills under consideration that would have a direct or indirect impact on PBMs, as well as health plans, prescription drug manufacturers, wholesalers and pharmacies. The pending legislation has bipartisan support in the House and Senate, indicating a strong desire to further regulate PBMs at the federal level. The proposed legislation mirrors similar developments at the state level to increase transparency and reduce prescription drug costs." [Full Article](#)

Faegre Drinker Biddle & Reath LLP

ICYMI: New Notice Requirement for Employers Offering Fixed Indemnity Coverage

"This new mandatory notice is designed to highlight the differences between fixed indemnity insurance policies and traditional health insurance so that employees are aware of the type of coverage they are purchasing, including the limitations of such coverage. The intent is to ensure that employees do not mistakenly purchase a fixed indemnity policy as an alternative or replacement for comprehensive medical coverage." [Full Article](#)

Michael Best & Friedrich LLP



Labor Department's Claims Procedure Regulations Survive Loper Bright Challenge

"The court ruled that Reliance's challenge was untimely because Reliance "does not explain how Loper Bright changed the landscape in such a way to permit Reliance now to bring a facial challenge that it could not have brought previously." The regulation had been the same for many years, Reliance had never challenged it before, and thus could not now." [Full Article](#)

Kantor & Kantor, LLP