



Health and Welfare Plans

Reinhart's Employee Benefits attorneys focusing on Health and Welfare Plans leverage our depth of experience to efficiently deliver practical, insightful and comprehensive legal solutions in the rapidly changing area of health and welfare plans. We counsel a wide array of employers across the country in all phases of establishment and management of health and welfare plans – including plan design and documentation, regulatory compliance, contract review and negotiation, funding and trust issues, administration and claims, and mergers and acquisitions.

We counsel clients on structuring both traditional health plans – including medical, dental, vision and prescription drug – as well as alternative health plan designs such as high-deductible health plans (HDHPs), health flexible spending accounts (FSAs), health reimbursement arrangements (HRAs), health savings accounts (HSAs), individual health premium reimbursement programs and wellness initiatives. We also counsel on short-term and long-term disability plans, life insurance, accidental death and dismemberment insurance, employee assistance programs, and other welfare benefits.

While all of our counsel is custom to each client's unique situation, our Employee Benefits attorneys have developed an extensive library of model documents and forms to help our clients efficiently establish necessary health plan documentation. We help our clients ensure that plan documents, summary plan descriptions (SPDs) and other plan forms and documents are accurate, complete and compliant with applicable legal requirements.

Today's challenging health plan environment requires a dutiful amount of compliance with legal requirements. Through regular communication and frequent, comprehensive client alerts, we help our clients stay current on continuous developments in the regulations governing health plans. These include developments in federal law, such as the Consolidated Appropriations Act, 2021 (of which the No Surprises Act was a part), the Families First Coronavirus Response Act, the CARES Act, the ACA, ERISA, COBRA, HIPAA, the ADA, the Genetic Information Nondiscrimination Act, Medicare, and the Mental Health Parity and Addiction Equity Act. We also advise our clients on various state and local laws and ordinances impacting health plans, such as the unique health plan mandates implemented by certain states and municipalities.

Additionally, Reinhart's Health Plans team helps create, review and negotiate a wide range of health plan contracts, including third-party administration agreements, network agreements, pharmacy benefit management agreements, insurance policies and contracts, HMO and managed-care agreements, agent and consultant agreements and other agreements with health plan service providers. Our extensive experience enables us not only to advise on the specific terms of the agreement, but also to assist clients in understanding agreements in the context of the health plans industry and best practices.

Our attorneys also advise clients on a variety of funding and trust issues associated with health plans. This includes helping clients manage challenges with funding retiree health coverage, as well as assisting with the establishment of other appropriate funding vehicles, including VEBA's and other health trusts, Taft-Hartley funds,



multiple-employer welfare arrangements, health cooperatives and captive insurers.

Lastly, we advise clients with fiduciary and administrative issues associated with managing health plans. Our attorneys assist administrators in working through the many challenges that can arise in the administration of health plans. This includes assistance with claims, discrimination testing, eligibility determinations and other administrative matters. We assist clients in conducting appropriate due diligence, as well as in integrating health plans and addressing other health coverage challenges that may arise from changes in business organizations.