

EBIA's EMPLOYEE BENEFITS SEMINARS

FALL 2010

Portland, OR • October 5–8
Chicago, IL • October 19–22

Atlanta, GA • October 26–29
Los Angeles, CA • November 9–12

Who Should Attend?

Human resource and benefits managers, benefits consultants, insurance professionals, plan administrators, TPAs, trust officers, attorneys, accountants, and controllers. Call us about CE, CPE, and CLE credit availability in your state.

Intermediate Seminar Level

All sessions are intermediate level. Some familiarity with the subject matter is advised.



Course Materials

For each topic you attend, you will receive a copy of the slides, selected EBIA manual excerpts, and download instructions for the eBook version of the manual (usable through Feb. 28, 2011).



Stay Abreast of Current Developments!

In addition to the published agenda, all EBIA seminars cover late-breaking developments such as new legislation, regulations, and significant court cases.

"A terrific learning experience!"

Our Speakers Are Attorneys

Only experienced employee benefits attorneys present our fast-paced and practical seminars.

Questions Encouraged

Class size is kept small to allow time for questions.

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Attend any or all sessions!

CAFETERIA PLANS

Tuesday, all day

ERISA COMPLIANCE for Health & Welfare Plans

Wednesday morning

HSAs, HRAs, and CONSUMER-DRIVEN HEALTH CARE

Wednesday afternoon

HIPAA PRIVACY & SECURITY

Thursday morning

COBRA COMPLIANCE for Group Health Plans

Thursday afternoon

New!

HEALTH CARE REFORM

Friday, all day

EBIA



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About the Seminar Leaders

There's usually a different seminar leader each day.

Katherine J. Alexander. Senior Director, Benefits Publications at Thomson Reuters/EBIA, and a contributing author of EBIA's *Consumer-Driven Health Care* and *Fringe Benefits* manuals.

Brigid Carroll Anderson. Director, Seminars at Thomson Reuters/EBIA, and a contributing author of EBIA's *ERISA Compliance for Health & Welfare Plans* manual.

John L. Barlament. Partner with Michael Best & Friedrich LLP in Milwaukee, and a contributing author of EBIA's *HIPAA Portability, Privacy & Security* and *Consumer-Driven Health Care* manuals.

Jeff Belfiglio. Partner of Davis Wright Tremaine LLP in Bellevue, WA, and a contributing author of EBIA's *Cafeteria Plans* manual.

Virginia L. Briggs. Senior editor at Thomson Reuters/EBIA, and editor and a contributing author of EBIA's *COBRA: The Developing Law* manual.

Howard D. Bye. Attorney, Of Counsel with Stoel Rives LLP in Seattle, and a contributing author and past editor of EBIA's *HIPAA Portability, Privacy & Security* manual.

Sharon R. Cohen. Attorney in Towers Watson's Research and Innovation Center, and a contributing author of EBIA's *Cafeteria Plans* manual.

Melanie K. Curtice. Partner with Stoel Rives LLP in Seattle, and a contributor to EBIA's *Consumer-Driven Health Care* manual.

John W. Haine. Senior Editor at Thomson Reuters/EBIA, and editor and a contributing author of EBIA's *Fringe Benefits* and *Consumer-Driven Health Care* manuals.

Andrew Ky Haynes. Shareholder and Director of Haynes Benefits, P.C., in Kansas City, and a contributing author of EBIA's *HIPAA Portability, Privacy & Security* and *Group Health Plans: Federal Mandates Other Than COBRA & HIPAA* manuals.

John R. Hickman. Partner of Alston & Bird LLP in Atlanta, and a contributing author of EBIA's *Cafeteria Plans, Consumer-Driven Health Care, and Health Care Reform for Employers and Advisors* manuals, and a contributor to EBIA's *HIPAA Portability, Privacy & Security* manual.

Darcy L. Hitesman. Principal Shareholder and Director of Hitesman & Associates, P. A., in Minneapolis, and a contributing author of EBIA's *ERISA Compliance for Health & Welfare Plans* manual.

Cheryl Risley Hughes. Of Counsel with the Groom Law Group, Chartered, in Washington, D.C., and a contributing author of EBIA's *Consumer-Driven Health Care* and *Fringe Benefits* manuals, and a contributor to EBIA's *Health Care Reform for Employers and Advisors* manual.

Susan R. Monkmeier. Senior editor at Thomson Reuters/EBIA, and editor and a contributing author of EBIA's *Cafeteria Plans* manual.

Kyle T. Murray. Editor at Thomson Reuters/EBIA, and editor and a contributing author of EBIA's *ERISA Compliance for Health & Welfare Plans* manual.

James D. O'Connell. Partner in Jacobs, Burns, Orlove & Hernandez in Chicago, and a contributing author of EBIA's *ERISA Compliance for Health & Welfare Plans* manual.

Gita K. Sharma. Senior editor at Thomson Reuters/EBIA, and editor and a contributing author of EBIA's *HIPAA Portability, Privacy & Security* manual.

Charles H. Thulin. Shareholder of Ekman, Bohrer & Thulin, P.S. in Seattle, and a contributing author of EBIA's *COBRA: The Developing Law* manual.

Christy A. Tinnis. Principal in the Health & Welfare Group of Groom Law Group, Chartered, in Washington, D.C., and a contributing author of EBIA's *Health Care Reform for Employers and Advisors* manual.

Mary Turk-Meena. Partner of K&L Gates LLP in Charlotte, NC., and a contributing author of EBIA's *Group Health Plans: Federal Mandates Other Than COBRA & HIPAA* manual.

Cynthia A. Van Bogaert. Partner of the Boardman Law Firm in Madison, WI, and a contributing author of EBIA's *401(k) Plans* manual.

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Certificate of Attendance

A few weeks after the seminar, we will mail you a certificate indicating which location and sessions you attended.

Registration

How to register: Space is limited, so register early. Each registrant must complete a separate registration form (attached—photocopies are OK), or register online at www.ebia.com/Seminars/InPerson.

Cancellations: Refunds (less a \$65 administration fee) are available for cancellations faxed to us at least one week before the seminar. If you are unable to attend, another person may attend in your place.

Course Materials

For each topic you attend, you will receive a copy of the slides, selected EBIA manual excerpts, and download instructions for the eBook version of the manual (usable through Feb. 28, 2011).



Lunch, Parking, and Lodging

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Tuesday, All Day Cafeteria Plans

Covering the latest guidance on cafeteria plans, including health reform.

8:00 a.m.

Registration/Coffee/Danish

8:30 a.m.

Types of Cafeteria Plans and How They Work. Premium payment plans, salary reduction plans with health FSAs and DCAPs, and flexible benefit/flex credit plans.

Big-Picture Plan Design Issues. Who can sponsor a cafeteria plan? Key decisions that employers must make, including who can participate, who can be excluded, what kind of plan to have, what kind of help to get, and how to fund the plan.

Benefits That Can and Cannot Be Offered Under a Cafeteria Plan. Learn about the full range of qualified benefits, the grace period, and special issues raised by premium reimbursement accounts, COBRA, domestic partner coverage, and the effect of health care reform on dependent coverage.

10:15 a.m.

Coffee Break

10:30 a.m.

Contributions and Cash-Outs. Learn about salary reductions, types of employer contributions, maximum contribution amounts, and other funding issues.

Cafeteria Plan Elections. When and how are elections made? Negative elections and automatic enrollments. When do elections become effective?

Mid-Year Election Changes. When can participants change their elections during the year? We use our handy tables of the exceptions to the irrevocability rule and provide real-life examples to explain how the rules work.

12:00 Noon

Morning program ends (lunch on your own)

1:00 p.m.

Nondiscrimination Tests. What nondiscrimination tests apply to a cafeteria plan with a health FSA and a DCAP? What are the consequences of noncompliance?

Health Flexible Spending Arrangements (Health FSAs). Risk of loss: The uniform coverage and use-or-lose rules. What expenses can be reimbursed, including impact of the new limit on OTC drug reimbursement under health care reform. Claims substantiation and adjudication; electronic payment card programs. Selected COBRA, HIPAA, and ERISA issues.

Note: HSAs and HRAs are covered in our HSAs, HRAs, and Consumer-Driven Health Care seminar.

2:45 p.m.

Coffee Break

3:00 p.m.

Dependent Care Assistance Programs (DCAPs).

What expenses can be reimbursed? DCAP design and administration issues.

Administering and Amending a Plan. Learn about common cafeteria plan administration concerns.

Reporting & Disclosure Requirements. What annual reporting requirements apply to cafeteria plans, health FSAs, and DCAPs? What should employees be told about these plans (disclosure requirements)?

4:30 p.m.

Cafeteria Plans program ends

Wednesday Morning ERISA Compliance for Health & Welfare Plans

Comprehensive coverage, including health reform and electronic Form 5500!

8:00 a.m.

Registration/Coffee/Danish

8:30 a.m.

What Law Applies? When does ERISA apply and when does state law apply?

Fringe Benefits Subject to ERISA. Are you offering ERISA benefits without knowing it? When are "voluntary" benefits subject to ERISA? What plans and benefits are exempt?

Plan Documents and SPDs. Writing the plan document (eligibility, benefits, specifying how many plans, bundling benefits or plans, special issues for insured plans, etc.) and preparing the SPD and SMMS (required content and distribution). New 4-page summary required by health care reform. Penalties for failure to provide documents.

10:15 a.m.

Coffee Break

10:30 a.m.

Plan Administration and Fiduciary Duties. Who's a fiduciary and what does it mean to be a fiduciary? Issues for service providers and employers to consider in outsourcing plan administration.

Claims Disputes. How to deny a claim the right way and handle an appeal properly. Why the standard of review is important, and what provisions can protect the plan. New enhanced appeal rights and external review under health care reform.

How Plans Pay Benefits and Why It Matters. Overview of the exclusive benefit rule and the trust account requirement. Effect of participant contributions on plan administration and legal requirements.

Form 5500 Requirements. New electronic filing rules. What plans must file? How many and what Schedules? Effect of plan size and method of paying benefits.

Recordkeeping and Other Disclosure Requirements. Content of the summary annual report and how long to retain records.

12:00 Noon

ERISA program ends (lunch on your own)

"These have been terrific sessions; all the speakers are knowledgeable and make the sessions easy to understand."

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Wednesday Afternoon HSAs, HRAs, and Consumer-Driven Health Care

Coverage of all the guidance on health savings accounts (HSAs) and more!

12:30 p.m.

Registration

1:00 p.m.

What Is Consumer-Driven Health Care? An overview of common vehicles that give employees a financial stake in health care decisions: health FSAs, HRAs, and HSAs.

Health Reimbursement Arrangements (HRAs). Legal requirements and design issues for employer-funded HRAs with carryovers: documentation; stand-alone HRAs versus integrated HRA+HDHC arrangements; timing of benefit accrual; what expenses can be reimbursed; ERISA, COBRA, HIPAA, and cafeteria plan concerns; and the impact of health care reform, including the rule prohibiting annual limits and the prescription requirement for OTC medicines and drugs.

Health Savings Accounts (HSAs). Who can have an HSA? What's a high-deductible health plan and can it offer any first-dollar coverage? Can an employee with an HRA, health FSA, or other coverage have an HSA?

2:45 p.m.

Coffee Break

3:00 p.m.

HSAs (cont'd). What amounts can an individual or employer contribute to an HSA? What is the full-contribution rule? Can HRA or health FSA funds be transferred to an HSA? What and whose expenses can be reimbursed tax-free by an HSA? What timing restrictions apply to reimbursements?

Offering HSAs in the workplace. What nondiscrimination and reporting rules apply? What is comparability and when does the cafeteria plan exception apply? What employer documentation is needed? Do ERISA and COBRA apply? Special issues to consider when HSAs are offered through cafeteria plans. How are the reimbursement rules and potential penalties affected by health care reform?

Which Design for Which Employer? With so many options, what can an employer do to maximize its particular goals?

4:30 p.m.

HSAs, HRAs, and Consumer-Driven Health Care program ends

"Excellent, informative, very valuable."



Thursday Morning HIPAA Privacy & Security

A fast-paced trip through HIPAA's privacy and security rules, including changes under the HITECH Act.

8:00 a.m.

Registration/Coffee/Danish

8:30 a.m.

HIPAA's Privacy Requirements. Overview of the core privacy requirements and examples of common privacy dilemmas.

What Information and What Entities? What is HIPAA protected health information (PHI)? What information is not protected by HIPAA? Who are covered entities subject to HIPAA privacy rules? HITECH Act and expanded application of privacy rules to business associates.

Use and Disclosure Rules. Main use and disclosure rules. Employer use and disclosure rules. Disclosures to family and friends and other disclosures exceptions.

Sharing PHI. Sharing PHI with business associates and the plan sponsor. Issues relating to employment records, enrollment information, and other special rules.

Other Privacy Rules. Individual rights under the HIPAA privacy rules, including the right to receive privacy notice. Administrative requirements for HIPAA privacy.

10:15 a.m.

Coffee Break

10:30 a.m.

HIPAA's Security Requirements. Overview of the core HIPAA security requirements and examples of common security issues for group health plans.

HIPAA Security Compliance. Regulatory approach to HIPAA security compliance. The HIPAA security compliance process (including procedures for addressable implementation specifications). Administrative, physical, technical, and organizational safeguards and documentation.

Sharing PHI and Breach Notification. Sharing electronic PHI with business associates and the plan sponsor. HITECH Act and expanded application of security rules to business associates. New breach notification requirements.

Business Associate Contracts. Modifications for incorporating provisions of the HITECH Act. Transition period for making changes to existing contracts.

Implementation and Enforcement. Checklists for common group health plan issues. Consequences of noncompliance. Enhanced enforcement and penalties under the HITECH Act.

12:00 Noon

HIPAA program ends (lunch on your own)

"Great examples. Very helpful when translating technical law to practical/operational applications."



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Thursday Afternoon COBRA Compliance for Group Health Plans

Up-to-date, including any further extension
of the premium subsidy rules.

12:30 p.m.

Registration

1:00 p.m.

When COBRA Applies. What employers and plans are subject to COBRA and what are the consequences of noncompliance?

General COBRA Disclosures. Describing COBRA in the initial notice and SPD.

Qualifying Events and Qualified Beneficiaries. When COBRA must be offered (gross misconduct, FMLA, other leaves, etc.). Who must be offered COBRA (newborn/newly adopted children, adult children, effect of Medicare or other coverage, etc.).

Notice of Qualifying Events; Election and Unavailability Notices. How the plan learns of qualifying events; and how qualified beneficiaries learn of COBRA rights.

2:45 p.m.

Coffee Break

3:00 p.m.

COBRA Elections. How qualified beneficiaries elect COBRA; what coverage may be elected; multiple plans and open enrollment issues.

COBRA Premiums. What premium to charge; payment deadlines and who can pay; late-payment problems; premium subsidy rules for certain involuntary terminations.

Duration of Coverage. Basic COBRA coverage periods; extensions; early termination of COBRA and termination notices from the plan; special rules for health FSAs.

Recap of Notices. Reasonable notice procedures all plans must have.

4:30 p.m.

COBRA program ends

"Material covered a wealth of information, and seminar examples did a great job to provide information in anticipation of practical industry matters."



Friday, All Day Health Care Reform

Covering the latest guidance on
health care reform.

8:00 a.m.

Registration/Coffee/Danish

8:30 a.m.

Changing Landscape of Health Reform. The individual mandate, state exchanges, employer play-or-pay and voucher requirements, the "Cadillac" plans tax, plus a brief overview of reforms for insurers (like medical loss ratios and transparency in coverage).

Direct Impacts for Employer-Sponsored Health Plans. Overview of most important reforms for employer plans (including future effective dates and the need for continued HIPAA portability compliance).

Which Plans Must Comply With Which Rules? What "group health plans" are subject to the health reform mandates and HIPAA portability rules, what benefits are excepted, and special rules for "grandfathered" plans.

10:15 a.m.

Coffee Break

10:30 a.m.

HIPAA's Existing Portability Rules. Current limits on preexisting condition exclusions (PCEs). Certificates of creditable coverage. Special enrollment rights. Health status nondiscrimination rules (including wellness and genetic information issues).

Health Care Reforms for 2010. Small employer tax credit, state high risk pool, and early retiree reinsurance reimbursements. New tax rules for non-tax dependent children.

Plan Design Reforms for 2011. Required coverage for children to age 26. Lifetime and restricted annual limit rules. No rescission of coverage and no PCEs for those under age 19. Preventive care and patient coverage protections.

12:00 Noon

Morning program ends (lunch on your own)

1:00 p.m.

Other Design Reforms for 2011. Code § 105(h)(2) nondiscrimination testing for insured plans. Limits on OTC medicines. Simple cafeteria plans. Increased HSA penalty taxes.

Benefit Administration Reforms For 2011. Enhanced claims and external review procedures. Four-page summary of benefits. W-2 reporting of employer-sponsored coverage. Auto-enrollment rule for certain larger employers.

Reforms for 2013. Cap on health FSA salary reductions. Employer notice to employees regarding exchanges.

2:45 p.m.

Coffee Break

3:00 p.m.

Reforms for 2014. Prohibition on PCEs and annual limits. Out-of-pocket expenses not to exceed HSA amounts. Cost-sharing limits. No excessive waiting periods. Required coverage of clinical trials. New information returns.

Play or Pay and Vouchers. Employer play-or-pay mandate. Employee vouchers. High-cost ("Cadillac") plan tax.

Will Employers Play? Will employers continue to provide health coverage? Evaluating the value of grandfathered plan status. Wrap-up and next steps.

4:30 p.m.

Health Care Reform program ends



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Covering all the latest developments,
including healthcare reform changes!

WEB

FALL 2010 REGISTRATION FORM

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Which Location?

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Which Session(s)?

- Cafeteria Plans** (Tuesday, all day—counts as two half-day sessions)
- ERISA Compliance** (Wednesday morning)
- HSAs, HRAs, and Consumer-Driven Health Care** (Wednesday afternoon)
- HIPAA Privacy & Security** (Thursday morning)
- COBRA Compliance** (Thursday afternoon)
- Health Care Reform** (Friday, all day—counts as two half-day sessions)

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REGISTRATION FEES

The all-day Cafeteria Plans and Health Care Reform seminars are counted as two half-day sessions.

*To qualify for listed prices for multiple sessions and additional registrant(s), all registrations must be included in a single order.

Number of Sessions	First Registrant*	Additional Registrants*
1	\$255	\$225
2	\$425	\$385
3	\$585	\$525
4	\$725	\$655
5	\$875	\$785
6	\$1,025	\$925
7	\$1,165	\$1,045
8	\$1,295	\$1,155

- I am the first registrant from my company.
- I am the second or additional registrant from the same worksite, so I am entitled to the multiple employee discount.

Seminar Amount Due (see Registration Fees above): \$ _____
Payment must be received before date of seminar.

Payment Method: Check Visa MasterCard AMEX

CREDIT CARD ACCOUNT NUMBER EXPIRATION DATE

AUTHORIZED SIGNATURE (AND PRINTED NAME ON CARD IF DIFFERENT FROM ABOVE)

Cancellations: Refunds (less a \$65 administration fee) are available for cancellations faxed to us at least one week before the seminar. If you are unable to attend, another person may attend in your place.