ERIC Fall Committee & Membership Meetings
Wednesday, October 16, 2013

Covington & Burling, LLP
1201 Pennsylvania Avenue, N.W, 12th Floor, Washington, DC

ERIC Health and Retirement Committees
Agenda
As of 10/14/13

11:00 a.m.–1:00 p.m. **Registration**

Noon–1:00 p.m. **Networking Lunch**
(Combined Health & Retirement Committees)

1:00–2:15 p.m. **Session I. “Ask the Regulators”**

George Bostick, Benefits Tax Counsel, U.S. Department of the Treasury

Joe Canary, Director, Office of Regulations and Interpretations
Employee Benefits Security Administration, U.S. Department of Labor

Michael Hash, Director, Office of Health Reform, U.S. Department of Health and Human Services

Christopher J. Kuczynski, Assistant Legal Counsel and Director, ADA/Gina Policy Division,
U.S. Equal Employment Opportunity Commission

Alan Tawshunsky, Deputy Associate Chief Counsel (Employee Benefits), Internal Revenue Service

Come and listen firsthand as key representatives of the agencies responsible for regulating retirement and health plans discuss current and future regulatory priorities. Take the opportunity to communicate your company’s thoughts directly to government representatives responsible for executing retirement and health policy objectives of the Obama Administration. This panel will be moderated by *Michael Wise* (Caterpillar), Chair of the ERIC Retirement Policy Committee.

2:15–2:30 p.m. Committees divide into separate rooms.

2:30–4:15 p.m. **Session II. Health & Retirement Committee Meetings**
See committee meeting agendas on next page for details.

6:00–8:00 p.m. **ERIC Networking Reception – Hosted by Miller & Chevalier Chartered**
(All members & trial members are invited.)

MILLER CHEVALIER
Miller & Chevalier Chartered

Law offices of Miller & Chevalier
10th Floor, Suite 900
Building entrances at:
1450 G Street, N.W. between 14th & 15th Street &
655 15th Street, N.W. at G Street
Washington, DC

ERIC Health & Retirement Committees

Concurrent Meetings

Wednesday, October 16, 2013
2:30–4:15 p.m.

Agendas

As of 10/14/13

Health Policy Committee

2:30-3:00 p.m.
Session II

A. Welcome, Overview of the Meeting & Introductions

Maria Krogue Christensen, Chair,
ERIC Health Policy Committee

Gretchen Young, Senior Vice President, Health Policy, ERIC

B. Thorny Issues in the Implementation of the Affordable Care Act

- *Andy R. Anderson*, Partner, Morgan, Lewis & Bockius LLP

This session will include a discussion of some specific regulatory topics that have been uniquely problematic in implementing the ACA, focusing especially on the interesting, intriguing, and/or important comments highlighted by government speakers in the preceding session. If time permits, we will have a brief roundtable conversation addressing current challenges for employers in the health benefits arena.

3:00-4:15 p.m.
Session III. Private Exchanges

Paul Fronstin, Director, Health Research Program, at the Employee Benefits Research Institute, will describe key elements of Private Exchanges and address some of the tax and other considerations that affect participation in a Private Exchange.

Following Paul's remarks, four panelists from major consulting firms who are members of ERIC will answer questions about their work in this area and discuss some of their key value propositions.

- *Mike Christie*, Senior Vice President, National Health Care Exchange Sales, Aon Hewitt
- *Sherri Bockhorst,* Principal and Leader, RightOpt Health Exchange Solution, Buck Consultants
- *Eric Grossman,* Senior Partner, Mercer
- *Dave Osterndorf,* Chief Health Care Actuary, Towers Watson

Retirement Policy Committee

2:30-3:15 p.m.
Session II

A. Welcome & Overview of the Meeting/Introductions

Michael Wise, Chair, ERIC Retirement Policy Committee

Kathryn Ricard, Senior Vice President, Retirement Policy, ERIC

B. Review of Issues Raised by Regulators in the "Ask the Regulators" Panel

C. Overview of Recent Retirement Policy Issues – Legislative & Regulatory

3:15-4:15 p.m.
Session III. Complying with the ACA and the Impact on Retirement Plans

Michael Francese, Partner, Covington & Burling

Highlights of the discussion include:

- Revisiting part-time employee eligibility
- Early retirements
- Impact on 401(k) contributions

ERIC Membership Meeting

Thursday, October 17, 2013
8:30 a.m.–4:00 p.m.

Covington & Burling LLP
1201 Pennsylvania Avenue, N.W., 12th Floor, Washington, DC

Agenda

As of 10/14/13

8:30–9:30 a.m. **Breakfast**

9:00–9:15 a.m. **Welcome & Introduction**

Jeanne Denz, Director, Global Employee Benefits, General Mills, Inc. & ERIC Chair

Scott Macey, President & CEO, ERIC

9:15–10:15 a.m. **Session I. Congress in the Cross-Hairs**

G. William Hoagland, Senior Vice President, Bipartisan Policy Center, and a former director of Budget and Appropriations in the Office of the Senate Majority Leader Bill Frist, M.D. (R-TN), will address the serious fiscal and budget issues facing this country, with a particular emphasis on those affecting the retirement and health benefits of large employers.

Following Mr. Hoagland's presentation, Democrats and Republicans from both the House and the Senate will respond to the issues raised in Mr. Hoagland's presentation and will give ERIC members an opportunity to ask those intricately involved in the process to comment on the impact of current legislative discussions on the future of employee benefits.

Cybele Bjorklund, Minority Staff Director, U.S. House Ways and Means Subcommittee on Health

Kara Getz, Tax Counsel, U.S. Senate Committee on Finance

Michael Kreps, Senior Pension & Retirement Counsel at U.S. Senate Committee on Health, Education, Labor, and Pensions

*Todd Spangler,** Senior Health Policy Advisor, U.S. House Committee on Education and the Workforce, Majority Staff

10:15–10:30 a.m. Break

**Invited*

10:30 a.m.–Noon **Session II. The Impact of the Defense of Marriage Act (DOMA) on Employer-Sponsored Benefit Plans: Updated Analysis and Company Reactions**

Joan Disler and *Jeff Lieberman*, members of the firm of Epstein Becker Green, will address the impact of the U.S. Supreme Court's decision on DOMA and review key regulatory and judicial developments that affect both health and retirement benefits. Following their presentation, a panel of ERIC member companies—*Glenn Butash*, Alcatel-Lucent, *Kelli Christenson*, Kraft Foods, and *Tim Graumann*, Union Pacific—will describe their companies' reactions to the DOMA decision and discuss how this decision and the regulatory aftermath have affected their benefits and workforce strategies for the future.

Noon–12:45 p.m. **Lunch**

12:45–1:45 p.m. **Session III. From the Government's Perspective**

Hon. Phyllis Borzi
Assistant Secretary of Labor
Employee Benefits Security Administration, U.S. Department of Labor

This session is an opportunity for members to hear how a top governmental official from the Department of Labor perceives the important issues currently affecting employee benefit plans. ERIC members will be given time to pose their pressing benefits questions.

1:45–2:00 p.m. Break

2:00–3:00 p.m. **Session IV. The Affordable Care Act at a Crossroads: Will Health Care Reform Sink or Swim in 2014?**

Karen Ignagni, President and CEO of America's Health Insurance Plans (AHIP), will discuss the outlook for health care reform in 2014 and the near-term future, focusing in particular on whether the Exchanges and other elements of the Affordable Care Act will actually be up and running in 2014.

3:00–4:00 p.m. **Session V. Better Participant, Fiduciary, and Compliance Outcomes in DC Plans**

Elizabeth Drake, Member, Miller & Chevalier

Matt Clink, CFA, Partner, Hewitt EnnisKnupp (an Aon Company)

Robert Wilen, FSA, EA, CFA, Partner, Hewitt EnnisKnupp (an Aon Company)

Plan sponsors are addressing new and different ways to produce better retirement readiness, as well as improved fiduciary and compliance control. This includes use of various best practices approaches designed to produce better investment results, greater fiduciary control and management, and minimized risk with plan qualification requirements. Aon Hewitt will share its experience in this evolving space for both DB and DC plans, with a highlight on the newest activities in the DC space, and Miller & Chevalier will address key legal and fiduciary issues.

We appreciate the generous contributions of our sponsors.

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