

# The ERISA Industry Committee Fall 2017 Policy Conference

October 18 – 19, 2017

Offices of Covington & Burling, LLP  
850 Tenth Street NW, Washington, DC 20001

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Wednesday, October 18, 2017

12:00 p.m.            **Networking Lunch** (*All ERIC members and guests*)

12:30 – 12:45 p.m.   **Welcome**

12:45 – 1:15 p.m.    **Keynote Address:**

*Nicholas Geale, Acting Solicitor for the Department of Labor and Chief of Staff, Secretary Acosta, U.S. Department of Labor*

1:15 – 2:25 p.m.    **Tax Reform**

Providing the latest updates on how tax reform is progressing through Congress, this panel will discuss the possible impacts on employee benefit programs. Commenting on changes to retirement, healthcare, executive compensation, and fringe benefits, the panel will also discuss the beguiling transition rules that will occur when moving from one system to another.

2:25 – 3:25 p.m.    **Ask the Regulators**

Key representatives of the agencies responsible for regulating retirement and health plans discuss current and future regulatory priorities.

3:25 – 3:40 p.m.    **Break**

3:40 – 4:25 p.m.    **BREAKOUT SERIES 1**

**Who Gets to Decide Paid Leave?:  
The Power of Congress, the States, and the People**

Since the passage of the FMLA, Congress has been slow to act on paid leave forcing cities and states to enact their own laws. But, cities and states are not doing so fast enough, driving citizens to begin their own grassroots campaigns for paid leave. The ball appears to be in everyone's court for paid leave, but who will win the game? This panel will discuss the various paths to achieving paid leave, the role of large employers, who is best to enact and implement these policy changes, and what 2018 will mean for this critical issue.

### Shadow Issues in Telehealth

Most large employers have begun to offer telemedicine as a health care benefit, but there are infrastructure issues that affect employees' ability to take advantage of the service. In some states, the lack of connectivity has killed legislation designed to address telemedicine practice. Many rural areas do not have the network infrastructure necessary for audio-visual communication or store-and-forward technology, which is a requirement for using telemedicine in many states. This panel will discuss the current challenges of the "tele" part of telemedicine, how better infrastructure can reduce costs, increase efficiency, and improve outcomes, and other issues you need to be aware of as plan sponsors supportive of telemedicine.

4:25 – 5:10 p.m.

### Phased Retirement

To avoid a sudden decrease in workplace knowledge, companies have implemented a variety of phased retirement policies that allow an employee to slowly enter full retirement. But, these policies can be difficult to implement due to complex rules surrounding employee benefit policies. The panel will review various types of phased retirement policies and discuss best practices on implementing a phased retirement program.

5:30 – 8:00 p.m.

### Reception (*All ERIC members and guests*)

Immediately following the last panel, members and guests may proceed directly to the reception on the Covington & Burling rooftop.

**\*ERIC Antitrust Statement:** As a reminder, all ERIC meetings and activities are to be conducted in full compliance with the ERIC Antitrust Policy. The antitrust laws prohibit competitors from agreeing on prices to be charged or otherwise taking steps that harm free and fair competition among them. While ERIC's primary mission and activities are entirely consistent with the antitrust laws, if you have any concerns about a particular topic or discussion, please raise it with ERIC staff.



*Driven By and For Large Employers*

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## Thursday October 19, 2017

7:45 -8:15 a.m.            **Breakfast** (*All ERIC members and guests*)

8:15 – 8:40 a.m.        **Chairman’s Welcome and Board Vote**

8:40 – 9:05 a.m.        **State Retirement Plan Burdens on Employers**

9:05 – 9:50 a.m.        **Prescription Drug Costs: Solutions in Action and Threats on the Horizon**

With the 5-year reauthorization of FDA user fees signed into law, what changes might be in store that could help to boost competition and lower costs? This panel will feature commentary on provisions within FDARA and other legislation that could help, as well as efforts by the new leadership at FDA to help make drug costs more affordable. Additionally, we will discuss what employers need to look out for, and how ERIC can help push back.

9:50 – 10:40 a.m.        **Financial Wellness Strategies for Persons with Disabilities**

The panel will take a closer look at financial wellness programs and public policies to assist employees living with a disability. Persons with disabilities may have different short and long term financial goals than employees not living with a disability. In addition, federal and state laws may prohibit certain individuals from receiving retirement contributions or other funds from employers due to the impact it could have on eligibility for need-based programs. An overview of financial wellness programs that focus on individuals with disabilities as well as legal issues that may arise with employee benefits provided to individuals with disabilities will be reviewed.

10:40 – 10:55 a.m.        **Break**

10:55 – 11:40 a.m.        **BREAKOUT SERIES2**

**Employers and the Opioid Crisis**

This panel will explore what the opioid crisis means for employers, how we can work to improve the situation, and what some forward-thinking employers and their partners are doing to get ahead of the problem and protect their workforce. Panelists will discuss the public policy implications of the current situation, as well as solutions and strategies currently being explored by plan sponsors, legislators, and regulators.

### Investment Fund Grab Bag

What are the latest trends in the type of investments offered in 401(k) plan? How does the increase in Economic Social Governance (ESG) fund usage in Europe impact funding philosophy in United States? Should a 401(k) investment committee use diversity of the fund manager as a criteria in selecting a new fund for the plan? More or less – how many funds should be offered in a 401(k) plan? Based on legislative priorities of the new Administration, how should my pension funding strategy change? The panel also will discuss legal cases related to 401(k) fees.

11:40 – 12:25 p.m. **Health Reform: What’s Next?**

In the wake of this summer’s “repeal and replace” meltdown, what should plan sponsors expect next? Is Congress really “done” with health care reform, or are efforts shifting in different directions within the health issue arena? This panel will discuss the health policy landscape over the coming months, likely legislative and regulatory efforts, and how we can prepare and influence the conversation.

12:25 – 1:30 p.m. **Lunch** (*All ERIC members and guests*)

1:30 – 2:15 p.m. **The Future of Work and the Millennial Workforce**

The relationship between employees and employers is changing. As more traditional employees are replaced by contingent employees, alliances with partner organizations, robotics, and artificial intelligence, employers need to reevaluate and re-envision their “employee experience” and value proposition. Employers can play a critical role in preparing employees for the future and addressing concerns of displacement or periods of unemployment by providing education, skill-building programs, and flexible benefit program design.

This panel will explore how Millennials, now the largest generation in the U.S., are changing the benefits landscape, how employers can craft their policies to attract and retain talent in today’s competitive job market, and how federal and state legislatures are reacting to this generation.

2:15 p.m. **Closing Remarks and Drawings for Attendee Prizes**

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