

ERIC Spring Policy Conference

April 27 - 28, 2017

Offices of Covington & Burling

850 Tenth Street, NW

10th Floor

Washington, DC 20001

— Thursday, April 27, 2017 —

- 11:45 a.m. [Networking Lunch](#) *(All ERIC members and guests)*
- Noon – 12:15 p.m. [Welcome](#)
- 12:15 – 12:45 p.m. [U.S. Congressman Tim Walberg Keynote Address](#)
Congressman Tim Walberg (R-MI) currently serves as Chairman of the U.S. House Education and the Workforce’s Subcommittee on Health, Employment, Labor, and Pensions. The Subcommittee has jurisdiction over ERISA, employment-related health and retirement security, the National Labor Relations Act, and more. Walberg is a five-term congressman, representing south-central Michigan. Before being elected to the U.S. House, Walberg served in the Michigan House of Representatives for sixteen years.
- 12:45 – 1:45 p.m. [U.S. Supreme Court Litigation Update](#)
A review of cases before and recently decided by the U.S. Supreme Court on employee benefit matters, including a discussion of Neil Gorsuch’s impact as the newly appointed ninth Justice.
- 2:00 – 3:00 p.m. [ERISA Preemption vs. States’ Rights: An Impact on Large Employers](#)
Leading experts will discuss the aggressive state actions that threaten to violate ERISA and the judicial and legislative actions surrounding them, address what these changes and others will mean for employers, and share what to expect in the coming months.
- 3:00 – 4:30 p.m. [Federal Regulatory Rollback Opportunities](#)
Participate in small groups led by ERIC Advisory Council members to discuss specific regulations and how ERIC can change them to reduce compliance and other burdens on employers.
- 4:30 – 5:30 p.m. [Taxing Retirement and Health Benefits](#)
Panelists will explore the impact of taxation of employee benefits on the future designs of total rewards programs, a 100% Roth 401(k) plan world, the prospect of a robust individual market in which retirees could buy health insurance, the role of health savings accounts (HSA), as well as the practical implications of policy changes on an aging workforce.
- 5:30 – 8:00 p.m. [Reception](#) *(All ERIC Members and Guests)*

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— Friday, April 28, 2017 —

7:45 – 8:15 a.m. [Breakfast](#) (All ERIC Members and Guests)

8:15 – 8:20 a.m. [Welcome](#)

8:20 – 9:15 a.m. [A View from The U.S. Senate: A Conversation with Senators Jon Kyl and Kent Conrad](#)

Former **U.S. Senator Jon Kyl** (R-AZ) built a reputation on mastering the complexities of legislative policy and coalition building, first in the House of Representatives and then in the Senate. He sat on the powerful Senate Finance Committee where he was the top Republican on the Subcommittee on Taxation and Internal Revenue Service Oversight. Kyl is now Senior Of Counsel at Covington & Burling LLP, where he advises companies on domestic and international policies that influence U.S. and multinational businesses.

Former **U.S. Senator Kent Conrad** (D-ND) has earned bipartisan respect for his expertise on our nation's fiscal issues. During his time in the Senate, he was Chairman of the Senate Budget Committee and sat on the Committee on Finance's Subcommittee on Fiscal Responsibility and Economic Growth. Conrad is currently a Senior Fellow with the Bipartisan Policy Center, and co-chairs its Commission on Retirement Security and Personal Savings.

9:15 – 10:15 a.m. [Congressional Panel](#)

Hear from the key policymakers writing employee benefits and tax laws in both the House and Senate, ask questions of those intricately involved in the legislative process, and comment on the impact of current or proposed legislation on employee benefit plans.

Panelists:

- Hazen Marshall, *Policy Director*, Office of Senate Majority Leader Mitch McConnell (R-KY)
- Ted McCann, *Assistant to the Speaker for Policy*, Office of Speaker Paul Ryan (R-WI)
- Katherine Mongé, *Tax Policy Advisor*, Office of House Minority Leader Nancy Pelosi (D-CA)
- Ryan Huff, *Legislative Assistant*, Office of Congressman Erik Paulsen (R-MN)

10:30 – 11:30 a.m. [The Latest & Greatest: Health Care Reform and What It Means to Large Plan Sponsors](#)

A discussion of the ongoing efforts to repeal and replace the Affordable Care Act, and what effects it will have on self-insured plans, the individual market, and Medicaid. The panel will also focus on what employers stand to gain or lose, and what else can be done to encourage delivery system reform, transparency, cost-containment, and quality improvement.

11:30 – 12:30 a.m. [BREAKOUT SERIES 1](#)

[Breakout A: Prescription Drug Policy: What are the Industry Players Requesting?](#)

Federal and state policymakers are bombarded with requests and demands from constituencies. We will hear directly from the industry groups on what they are asking Congress and federal agencies to do to support their industries and engage with them on the impact of those policies on employer plans and beneficiaries.

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Breakout B: 401(k) Plan Fee Litigation

An exploration of the most recent cases, how large employer plan sponsors can avoid the suits, and how legislative relief can be crafted and advanced.

12:30 – 1:15 p.m.

Lunch

1:15 – 2:15 p.m.

BREAKOUT SERIES 2:

The Intersection of Multistate Employer Policy Issues on the State and Federal Levels

Breakout A: The Patchwork of Paid Leave Laws

A growing threat to large employers is a patchwork of laws that harm employers' ability to maintain consistent, uniform paid leave policies. This discussion will explore different state laws and regulations and ERIC's priorities in shaping them.

Breakout B: Statehouse Battleground on Health Care

Panelists will discuss the current landscape of employer-related state health care issues, including state reactions to ACA repeal and replace and the challenges companies are facing in controlling costs, especially in relation to telehealth, biosimilar medications, and assessments on payers. Additionally, in light of the recent push for states to pursue ACA Innovation Waivers (Section 1332 waiver), the panelists will cover some of the concerns they have as states move forward with their Waiver applications.

2:15 – 3:30 p.m.

Wellness: Financial and Health

This panel will explore the latest challenges and successful strategies in financial wellness, including public policy ideas that can help bolster employers' ability to encourage employees to save money and maximize the efficiency of their spending. We will also examine the challenges associated with balancing the costs of retiree health benefits, with the need to ensure older employees are not locked into employment just to maintain health insurance.

3:30 p.m.

Closing Remarks

***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.