

ERIC's Virtual Fall 2021 Policy Conference

Tuesday, October 5, 2021

11:00 a.m. – 4:30 p.m.

11:00 a.m. – 12:30 p.m. **Welcome and Member Meeting & Board Members**

ERIC's Chairman of the Board of Directors will start the conference with the annual members' meeting, giving a brief update on the state of ERIC, and confirming new Board members, before introducing the first panel.

Is There a Future for Employer-Sponsored Health Insurance?

Medicare for All, Public Option, and Medicare at 60 are health care policies actively being considered by Congress to expand health care coverage. As government expands to cover more Americans and new rules and requirements lead to heavy costs for employers, what is the future of employer-sponsored coverage? What should be the role of employers? Should they struggle to maintain our current health care system? Or look for ways to shift responsibilities to government programs?

Policy experts from renowned institutions will discuss these important questions and share their thoughts on how policy changes will affect the future of the employer-sponsored system.

12:30 p.m. – 1:00 p.m. **Break**

1:00 p.m. – 2:00 p.m. **The Impact of COVID-19 on Retirement Planning, Design, and Security**

The COVID-19 pandemic not only created financial stress for some employers, employees, and families but also highlighted existing financial strains. In response to the immediate financial pressures, Congress implemented rules allowing penalty-free withdrawals from retirement plans, of which many participants took advantage. As we recover from the pandemic, employers are considering how these withdrawals have impacted retirement security and what retirement designs they can include to assist employees with building and rebuilding their retirement savings. Ultimately, what will be the long-term impact of COVID-related distributions and expanded loan provisions on retirement security? What benefits changes can be made to address employee burnout, keep people working, and attract those who may have left the workforce? Are there benefit designs that encourage employees to increase their retirement savings or consider just partial retirement?

Member companies and congressional staff will discuss recent experiences and retirement legislation resulting from the COVID-19 pandemic.

2:00 p.m. – 3:00 p.m. **Break**

3:00 – 3:30 p.m.

A Conversation with U.S. Senator James Lankford

U.S. Senator James Lankford (R-OK) will join ERIC members to discuss Congressional efforts to improve the retirement system and financial security and update us on efforts to advance the Pension and Budget Integrity Act.

3:30 p.m. – 4:30 p.m.

What are Employer Requirements and Risks Relating to Continued Remote Work?

As employees continue to work from home, how should employers deal with state payroll taxation issues, or safety issues within homes? What about access to worksite clinics? What is an employee's home base when they work remotely most of the time from home? How does remote working impact commuter benefits and travel reimbursements? Do fringe benefits rules need to be changed?

Wednesday, October 6, 2021

11:00 a.m. – 4:30 p.m.

11:00 a.m. – 12:00 p.m.

The 2006 Pension Protection Act – A Look Back at its Impact

Nearly 15 years ago, Congress passed the most sweeping reform of pension laws since the passage of ERISA. Now, we are facing new challenges in retirement plan and design. Defined benefit plans are entering a time of high-interest rates, which could lead to further de-risking strategies or other developments. Congress and the Administration have also been active on multiemployer pension reform. In defined contribution plans, we see additional pushes for automatic features (*i.e.*, enrollment and contribution escalation) and safe harbor designs. What lessons did we learn from the Pension Protection Act (PPA)? How did the PPA set the stage for current legislation proposals? What parts of the law need to be strengthened or changed to benefit current and future retirees?

Join us as policy experts examine the PPA and how retirement policies and legislation continue to be impacted by the legislation enacted 15 years ago.

12:00 p.m. – 1:00 p.m.

Break

1:00 p.m. – 1:30 p.m.

Q&A with U.S. Senator Chris Murphy

Senator Chris Murphy (D-CT) will join us to address mental health priorities and legislation, telehealth, and efforts to improve access to care by allowing interstate practice.

Senator Murphy serves on the Health, Education, Labor, and Pensions Committee, where he works on issues that ERIC members care about, including health care,

student loans, and retirement plans. The Senator is the lead on the TREAT Act and previously worked with Senator Bill Cassidy (R-LA) to write and pass the bipartisan Mental Health Reform Act.

1:30 p.m. – 3:00 p.m. **Break**

3:00 p.m. – 3:30 p.m. **A Sit-Down with U.S. Senator Steve Daines**

ERIC’s policy team sits down with U.S. Senator Steve Daines (R-MT) to talk about the future of telehealth policy, his work on the Telehealth Expansion Act, increasing retirement savings, and ensuring a secure retirement system for American workers and families.

3:30 p.m. – 4:30 p.m. **Beyond the First Monday in October – Benefits and Business Cases on the U.S. Supreme Court Docket**

As the Supreme Court starts its new term, what will the Justices face that impact employee benefit plans? We will wade through the grants of petitions for certiorari expected before the term begins on October 4.

Learn about the cases pending before the Court and those that might make their way there before the term ends in June 2022.

Thursday, October 7, 2021

11:00 a.m. – 3:15 p.m.

11:00 a.m. – 12:00 p.m. **Prioritizing Employee Mental Health: Policy Solutions and Litigation Risks**

The COVID-19 pandemic exacerbated an already urgent mental health crisis plagued by existing provider shortages, affordability and access problems, and challenges for plan sponsors and carriers. Employees and their families need help, and ERIC’s member companies answered by initiating programs and redesigning their mental health benefits to best cater to these needs, avoid burnout, and provide the support essential to avert serious mental health crises.

Hear from ERIC member companies that were critical in developing the policy solutions contained in our recent report, congressional staff who are working on mental health legislation, and experts who will discuss the legal threats surrounding mental health and non-quantitative treatment limitations.

12:00 p.m. – 1:00 p.m. **Break**

1:00 – 1:15 p.m.

A Message from U.S. Representative Rick Allen

Congressman Rick Allen (R-GA) will address ERIC members about mental health and telehealth legislation, and his support for employer-sponsored insurance.

1:00 p.m. – 2:00 p.m.

The Need for HSA Flexibility: Healthier Workforces and More Savings

It's been nearly two decades since the Medicare Modernization Act and the creation of health savings accounts (HSAs), but Congress and multiple Administrations have made very few changes to the accounts themselves or the high-deductible health plans (HDHPs) they pair with it. Major policy changes have been proposed in recent years, however, such as offering more flexibility for first-dollar coverage of telehealth and chronic disease management. These policies have started to transform HSAs, allowing employers to drive more value in these plans. But how are employers adapting to these flexibilities? What are the next critical improvements to be made? What does the data show, and how can it impact future laws and regulations?

Congressional staff and other experts will explore pending legislation, proposed rule changes, and data on how employer offerings have evolved with the recent changes in HDHP rules.

2:00 p.m. – 2:30 p.m.

Break

2:30 p.m. – 3:00 p.m.

A Conversation with the U.S. Department of Labor's Ali Khawar

Ali Khawar, Acting Assistant Secretary at the Department of Labor's Employee Benefits Security Administration (EBSA), will lead a discussion with ERIC members.

Mr. Khawar will discuss COVID-related guidance and Tri-agency and other guidance impacting sponsors of health and retirement plans, including missing participants, surprise medical billing, and more.

3:00 p.m. – 3:15 p.m.

Raffle and 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.