

**ERIC's Virtual Spring 2022 Policy Conference**

**Tuesday, April 26**  
11:00 a.m. – 4:00 p.m.

11:00 a.m. – 12:15 p.m. **Welcome and Health Care Congressional Activity in 2022 and Beyond**

Chairman Joe Pitra of ERIC's Board of Directors will start the conference with opening remarks before introducing the first panel.

*The Build Back Better Act (BBB)* dominated the health care policy conversation in 2021, leaving little room for other policy priorities. Now, as we look ahead to the rest of 2022, will Democrats continue pursuing elements from the larger BBB package? Are there bipartisan legislative packages expected to move through Congress? What will health policy be like in 2023?

Congressional staff from both sides of the aisle will lead us in a conversation about the future of health policy and what they expect to happen this year. Our discussion will include mental health, protecting employer-sponsored insurance, telehealth, prescription drugs, and more.

12:15 p.m. – 1:00 p.m. **Break**

1:00 p.m. – 2:00 p.m. **Retirement Policy's Path Ahead: 2022 Legislative Outlook**

Several bipartisan bills have been introduced to address ERIC's retirement priorities, including emergency savings, simplified disclosure for plan beneficiaries, and creating a missing participant pension registry. Will Congress tackle a large retirement bill in 2022 that addresses ERIC's priorities like expanded flexibility for retirement savings and simplifying plan administration? How will politics and other legislative challenges affect retirement legislation moving forward?

Join key congressional staffers to discuss retirement priorities and predictions for 2022 and beyond.

2:00 p.m. – 3:00 p.m. **Break**

3:00 – 3:30 p.m. **Q&A with U.S. Senator Mike Braun (R-IN)**

U.S. Senator Mike Braun (R-IN) will join ERIC members to discuss health policy, including health care and cost transparency, telehealth expansion, improvements to high-deductible health plans, and prescription drug competition.

Senator Braun 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 also a member of the Special Committee on Aging as well as the Appropriations and Budget committees.

**Wednesday, April 27**  
11:00 a.m. – 4:00 p.m.

11:00 a.m. – 12:00 p.m. **What’s Next for Paid Leave?**

The COVID-19 pandemic placed the importance of paid family and medical leave benefits at the center of the national spotlight, paving the way for the broadest federal policy push to date. Now that the dust is settling, what does the national paid leave landscape look like? What pressures are large plan sponsors facing as paid leave trends and worker priorities continue to evolve? How can the business community shape paid leave policy to resolve the current patchwork and fortify the valuable benefits they already offer?

Our experts will lead us in a dialogue of federal and state paid leave developments and the impact emerging advocacy efforts could have on large employers.

12:00 p.m. – 1:00 p.m. **Break**

1:00 – 2:30 p.m. **Using the Courts to Change Bad Law: How Companies Evaluate and Use Litigation as a Response to Key Legal Challenges – Followed by In-House Counsel Panel**

Paul Clement, the 43rd U.S. Solicitor General and a longtime partner with Kirkland & Ellis LLP.

Mr. Clement will share his insights on appellate and U.S. Supreme Court litigation, the changing federal court landscape, and ultimately how employers can increase the chances of having their most critical cases heard. Paul has argued over 100 appellate cases before the Court — more Supreme Court cases since 2000 than any lawyer in or out of government. He is currently representing ERIC in our effort to have the Court rehear our lawsuit against the City of Seattle.

Prior to his success in private practice, Paul clerked for U.S. Supreme Court Associate Justice Antonin Scalia and Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit.

This conversation is a once-in-a-lifetime opportunity for members to hear from an expert who knows the ins and outs of the Supreme Court and how to best navigate the pitfalls of the appellate advocacy process.

**Panel discussion:** After hearing from Paul, ERIC member company in-house counsel and leaders of the ERIC Legal Center will lead a conversation on how large employers evaluate and approach litigation as a reasoned response to key legal challenges. They will discuss how large employers identify cases that stand to have an impact on their benefits administration, how they prioritize legal fights on which to focus corporate resources, how and when they work with trade groups and allies to bolster their advocacy, and how they manage internal and external messaging

strategies that often surround these high-profile campaigns. Our panel will dive into several real-life examples that member companies have faced and share their experience regarding what has worked and not worked.

2:30 p.m. – 3:00 p.m.     **Break**

3:00 p.m. – 4:00 p.m.     **Retirement Plan Investments: Trends and Regulations**

Furthering its role to regulate the standard of care that plan fiduciaries need to meet when investing plan assets, the U.S. Department of Labor is busy with regulations on the definition of “fiduciary” and ERISA’s duty of prudence regarding the use of environmental, social, and governance factors. The Department also recently issued guidance on the use of private equity in plans. Participant interest in other alternative investments, including cryptocurrency, has also increased. How are plan investment trends evolving? What are the key issues future regulations might address, and how?

Hear from your ERIC member peers about how they are navigating this complex environment and join a discussion about what rules plan sponsors want and need.

**Thursday, April 28**  
11:00 a.m. – 4:15 p.m.

11:00 a.m. – 12:00 p.m. **State Single-Payer Proposals and Their Impact on Federal Policy**

New York and California lawmakers have been locked in debate over contentious single-payer health care proposals that stand to turn employee benefit administration on its head, all while other states watch and consider following suit. While the federal government will likely not move forward with single-payer legislation any time soon, continued activity in the nation's most populous states is sure to weigh heavily on the health policy debates in Congress.

Stakeholders will lead a discussion on proposals, the impact on plans and employers, and how employers can and should start approaching this policy debate at the state and federal levels.

12:00 p.m. – 1:00 p.m. **Break**

1:00 – 1:30 p.m. **A Conversation with U.S. Congressman Greg Murphy (R-NC)**

Congressman Greg Murphy (R-NC) will join ERIC's policy team for a discussion on health and retirement-related legislation impacting large plan sponsors. Congressman Murphy serves on the very powerful Ways and Means Committee and is a member of the Health and Oversight Subcommittees. As a doctor for more than 30 years, he has a unique perspective on health care and the response to the COVID-19 pandemic.

The Congressman will discuss the single and multiemployer pension system, health care and cost transparency, telehealth expansion, and retirement security, among other topics.

2:00 p.m. – 3:00 p.m. **Break**

3:00 p.m. – 4:00 p.m. **Surprise Medical Billing and Its Impact in 2022**

After a long and strenuous fight, surprise medical billing was officially banned as of January 1, 2022. With the onslaught of federal guidance setting forth the new rules of the road, how is the new law working? What are employers and employees experiencing so far? What aspects of the rules need to be improved? What still needs to be addressed? What has been the fallout from other policies that Congress did or did not include in the *No Surprises Act*?

Explore how surprise medical billing implementation is going and consider policy and advocacy options for the future with our panel of experts.

**\*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.