

2023 ERIC Spring Policy Conference

Wednesday, April 19

12:00 p.m. – 8:00 p.m.

11:30 a.m. – 12:30 p.m. **Registration Opens & Lunch**

12:30 p.m. – 12:45 p.m. **Chairman's Welcome**

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

12:45 p.m. – 1:45 p.m. **View from The Hill: The 2023 Crystal Ball**

The majorities in the U.S. House of Representatives and the U.S. Senate may have divergent legislative priorities, but bipartisan interest in improving the laws governing employee benefit plans remains. Which issues in health and retirement policy are on the radar this year for policymakers? Which issues could inspire bipartisanship? Are legislators likely to legislate in this issue space this year? Don't miss this panel with key congressional staff.

Moderator: Matt Lathrop, Director of Government Affairs, Yum! Brands

Panelists: John Crews, Policy Adviser, House Majority Leader Steve Scalise (R-LA)

Matt Fuentes, Legislative Assistant, Majority Leader Chuck Schumer (D-NY)

Kendra Isaacson, Pensions Policy Director and Senior Tax Counsel, Senator Patty Murray (D-WA)

Casey Quinn, Professional Staff Member, House Ways and Means Health Subcommittee Majority Staff

Michael Sinacore, Pensions Policy Director, U.S. Senate Health, Education, Labor and Pensions Committee Minority

Daniel Foster, Senior Health and Labor Counsel, House Committee on Education and Workforce Minority Staff

1:45 p.m. – 2:40 p.m. **In the Eye of the Storm - The Future of Federal, State, and Local Paid Leave Policy**

While the 2022 mid-term elections caused a range of political landscapes to shift, not only at the federal level but in state houses and city councils across the country, the national appetite for paid leave policy shows little sign of subsiding. As the patchwork of state and local laws continues to proliferate, employers are increasingly caught between their desire to provide valuable benefits to their employees and the array of incompatible and counterproductive compliance standards that they face jurisdiction-by-jurisdiction. At the same time, federal paid leave proponents are on the lookout for renewed support and momentum after paid leave reform language was ultimately left out of legislation last year.

What does this all mean for the future of paid leave policy? Join our exciting panel of policy experts for a discussion on where this critical issue is headed and how a refreshed perspective could open the door for lasting compromise.

Moderator: Ben Gitis, Associate Director, Economic Policy Program, Bipartisan Policy Center

Panelists: Jason Kanter, HR and Labor Policy Executive, IBM

Joshua Seidman, Partner, Seyfarth Shaw LLP

Emma Zafran, Senior Legislative Assistant, Rep. Chrissy Houlahan (D-PA)

2:40 p.m. – 3:25 p.m. **The Defining Moment for Biosimilars: A Critical Year for Competition in the Biologic and Biosimilar Market**

Millions of Americans receive their health benefits from self-insured employers who bear the brunt of the rising cost of prescription drugs, especially so-called “specialty drugs.” Employers, on average, spend \$1,200 per person annually on prescription drugs alone, and the cost is expected to rise. With a bevy of new biosimilar products coming to market in 2023, including long-awaited competition for some of the most costly and highly-utilized specialty drugs, employers are watching the status of competition and formulary design. The increased adoption of biosimilar medicines represents a promising market-based solution that can bring significant savings to large employers, employees, retirees, and families – but will new therapies really lower costs for patients and employers?

Join us for a panel discussion on the state of biosimilar in the U.S. marketplace, the impacts on plan design, and what other policies are needed to benefit employers, their employees, and families.

Moderator: Eileen Pincay, RPH, Vice President and National Pharmacy Practice Leader, Segal

Panelists: Brian Lehman, MBA, MHA, RPh, Director, Patient Advocacy and Strategic Alliances, Corporate Affairs NA SZ, Sandoz Inc.

Juliana Reed, Executive Director, The Biosimilars Forum

James Wang, Interim Director, Strategic Products and Services, Kaiser Permanente

Dr. Sarah Yim, Director, Office of Therapeutic Biologics and Biosimilars (OTBB), U.S. Food and Drug Administration

3:30 p.m. – 4:00 p.m. **Remarks & Conversation with Chairman Jason Smith of the House Ways and Means Committee**

4:00 p.m. – 4:20 p.m. **A Conversation with Senator Rick Scott (R-FL)**

4:30 p.m. – 5:00 p.m. **A Fireside Chat with Assistant Secretary Lisa Gomez**

5:00 p.m. **Reception**

Thursday, April 20

8:00 a.m. – 2:00 p.m.

8:00 a.m. – 8:25 a.m. **Breakfast**

8:25 a.m. – 8:30 a.m. **Welcome & Introduction**

8:30 a.m. – 9:30 a.m. **Private Sector Guide to Managing Congressional Inquiries**

Divided government often leads to an emphasis on congressional oversight, and this oversight is increasingly focused on the private sector. Media reports are replete with stories of prominent members of Congress demanding information concerning the operation of private companies. Because employee benefits are so important, some of these inquiries have focused on health care, paid leave policies, and retirement plan administration, among other employment-related issues. What purpose do these requests serve? How is the information used? And what steps should your company consider if it becomes a target of congressional inquiries? An expert panel will discuss likely oversight in the 118th Congress, offer insights, and suggest best practices for employers who may be in the crosshairs.

Moderator: Andy Banducci, Senior Vice President, Retirement and Compensation Policy, ERIC

Panelists: Rico Doss, Director, Federal Affairs, GM

John Ring, Partner, Morgan Lewis

Kristin Spiridon, Former Chief Counsel for Oversight, U.S. Senate Committee on Health, Education, Labor & Pensions Majority Staff

Joe Wheeler, Professional Staff Member, U.S. House Committee on Education and the Workforce Majority Staff

9:30 a.m. – 10:00 a.m. **A Conversation with Chairman Ron Wyden (D-OR) of the Senate Finance Committee**

10 a.m. – 11:10 a.m. **From Clinic to Courtroom – Legislation and Litigation Limiting Prescription Practices**

Considerable efforts have been made in recent years to reduce the runaway health care costs that workers and employers increasingly face. Perhaps the most contentious area of this developing health care fight surrounds prescription drug practices, which have seen broad expansion in recent years but are now under renewed fire from opponents. State

legislators and regulators are considering everything from telehealth prescribing standards, to specialty “white/brown bagging” services, to abortion medication access, and regulation of pharmacy benefit managers. Join our panel discussion to learn more about the prescription drug policies that are emerging on the state level, the legal standards at issue in related litigation, and what is at stake for employer-sponsored health plans at large.

Moderator: Dillon Clair, Director, State Advocacy and Litigation, ERIC

Panelists: Alden Bianchi, Counsel, McDermott Will & Emery

Drew Clark, Vice President and General Counsel, McKee Foods Corporation

Latoya Thomas, Head of Policy & Government Affairs, Included Health,

11:15 a.m. – 11:45 a.m. **A Fireside Chat with Congressman Mike Kelly (R-PA) of the Ways and Means Committee**

11:45 a.m. – 12:30 p.m. **Lunch**

12:30 p.m. – 1:30 p.m. **When Legislators Defer to Regulators: Implementing SECURE 2.0**

The recently-enacted *SECURE 2.0 Act* includes a comprehensive package of changes to ERISA and the Tax Code applicable to retirement plans. In addition to these changes, the legislation contains numerous directives for regulatory agency guidance and reports. Which provisions left significant discretion to regulators? Which rules will be issued, and when? And how can ERIC support plan sponsors to ensure that the ensuing regulations do not add needless burdens? Panelists will help you navigate this evolving landscape.

Moderator: Chris Spence, Managing Director, TIAA

Panelists: Alyssa Dowse, Senior Benefits Specialist - Retirement Plan Compliance, Boeing

Marc Gerson, Member and Tax Department Chair, Miller & Chevalier

Brian Kearney, Principal and Senior Legal Consultant, Law and Policy Group, Mercer

Greg Long, Public Policy & Defined Contribution Public Sector Leader, Alight Solutions

Kyle Webb, Financial Benefits Design Manager, DMBA

1:30 p.m. – 1:45 p.m. **Raffle & Closing Remarks**

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