

## Health and Welfare Plan Drafting

In the health and welfare area, careful drafting of plan documents and participant disclosures helps a plan sponsor to avoid unanticipated liability for payment of benefit claims, penalties, and adverse tax consequences. At Groom, we are experts at drafting the full range of documents necessary for the proper administration of a health and welfare plan, taking into account the many laws that apply to these plans, including the following:

- Employee Retirement Income Security Act (ERISA) claim procedures and summary plan description regulations.
- Requirements of the Internal Revenue Code, including cafeteria plan rules and nondiscrimination rules.
- Continuation of coverage under Consolidated Omnibus Budget Reconciliation Act (COBRA), including COBRA premium assistance provisions under the American Recovery and Reinvestment Act of 2009.
- Health Insurance Portability and Accountability Act (HIPAA) portability, nondiscrimination, privacy and security.
- Coordination of benefits under the Medicare Secondary Payer rules.
- Military leave and benefits under Uniformed Services Employment and Reemployment Rights Act (USERRA).
- Disability and age anti-discrimination provisions under the Americans with Disabilities Act (ADA) and the Age Discrimination in Employment Act (ADEA).
- Federal leave and health benefits under Family and Medical Leave Act (FMLA).
- Benefit and disclosure requirements under the Newborns' and Mothers' Health Protection Act, the Women's Health and Cancer Rights Act, the Mental Health Parity Act, Michelle's Law, the Genetic Information and Nondiscrimination Act (GINA), and the Children's Health Insurance Program Reauthorization Act of 2009 (CHIP).