

Health and Welfare State Law Issues

In addition to complying with federal rules under ERISA and the Internal Revenue Code that apply to health and welfare plans, plan sponsors, insurers, and administrative service providers must also consider the impact that state laws may have on the design and administration of health and welfare plans. States are increasing their efforts to regulate health and welfare plans, and the number and scope of laws passed by states that affect health and welfare plans, including in certain circumstances, plans that are self-insured, are increasing rapidly. Our attorneys follow state legislation in all 50 states that affect health and welfare plans and regularly advise clients on the application of such state laws. Examples of our relevant experience include:

- Advising national employers on the state coverage requirements for dependents, spouses, and same-sex spouses and domestic partners.
- Advising insurers, plan sponsors, and employers on state law mandated benefits such as coverage for autism, hearing aids for minors, and prosthetics.
- Advising employers on how to comply with state "pay or play" laws and universal health care laws including such laws in Massachusetts, Vermont, and San Francisco.
- Advising insurers and insurance brokers on state insurance regulations including regulation of minimum premium plans, Medicare Supplement policies, and Medicare Advantage plans.
- Advising employers on state and local laws such as those in New Jersey and the District of Columbia that require paid family leave and paid sick leave.