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EDUCATION

George Mason University School of Law

JD, with distinction

Indiana University

MPA

University of Cincinnati

BA, with honors

ADMISSIONS

District of Columbia

Maryland

U.S. Court of Appeals Fifth Circuit

Jon Breyfogle

Principal | Network and Collaborate ("LINC") Committee

An expert on ERISA's fiduciary rules and government regulation of health insurance, including the Affordable Care Act (ACA), Jon Breyfogle counsels numerous financial services firms, health insurers, and their D.C.-based trade associations on retirement and health matters. His practice includes advice on regulatory and legislative strategies, compliance, and defense of federal and state investigations. Jon has testified before Congress and at Department of Labor hearings on both retirement and health issues.

Jon frequently represents clients in front of the Department of Labor, seeking and obtaining a variety of advisory opinions, information letters, and prohibited transaction exemptions. He regularly counsels large employers, supporting plan investment and administrative committees by providing fiduciary training, fee and expense analyses, reviews of plan governance and administrative practices, and assistance regarding frozen or eliminated company stock funds. As part of his ERISA practice, he counsels financial services firms on retirement and health matters, including most recently the Department of Labor's new fiduciary rule.

As part of his health practice, Jon represents a number of the nation's largest health insurers and their trade associations on ACA and other federal and state laws that regulate health insurance. He regularly engages in advocacy on behalf of the firm's clients before Congress and the Departments of Health and Human Services, Labor, and Treasury. Some recent matters include:

Advocacy on implementing regulations and other subregulatory guidance relating to ACA's medical loss ratio rule, insurance market reforms, premium stabilization programs, Exchange regulations, contracts between HHS and issuers of qualified health plans, and the application of the ACA's Section 1557 non-discrimination rule to health insurers and their products.

Defending government investigations of insurers and employers relating to the ACA, federal mental health parity, ERISA and state insurance law.

Overseeing comprehensive audits of health insurers and their compliance with the ACA and other federal insurance laws.

Jon is a member of the firm's [Health Services](#), [Retirement Services](#), and [Employers & Sponsors](#) groups.

Prior to joining Groom, Jon served in political and civil service positions at the Office of Management and Budget, Pension Benefit Guaranty Corporation, and the Department of Labor.

"I most appreciate Jon's ability to quickly grasp the situation or issue and to offer advice in a clear, concise manner that recognizes most business decisions involve some evaluation of risk." – Client

PREVIOUS EXPERIENCE

- Senior Legislative Officer, Department of Labor's Office of Congressional Affairs (1989-1992)
- Special Assistant to the Executive Director, Pension Benefit Guaranty Corporation (1987-1989)
- Policy Analyst, Office of Management and Budget (1985-1987)

PROFESSIONAL AFFILIATIONS

- Board of Directors, American Benefits Counsel

HONORS & DISTINCTIONS

- Listed, *Chambers USA: America's Leading Lawyers for Business*, Employee Benefits and Executive Compensation (2005-2007) (2022-2024)
- Hall of Fame, *The Legal 500 US*, Employee benefits, executive compensation and retirement plans: transactional (2017 - 2021)
- Hall of Fame, *The Legal 500 US*, Employee benefits and executive compensation and retirement plans: design (2017 - 2024)
- Hall of Fame, *The Legal 500 US*, Healthcare: health insurers (2013 - 2019)
- Leading Lawyer, *The Legal 500 US*, Employee Benefits and Executive Compensation (2007, 2009-2016)
- Listed, *Super Lawyers*, Health Care, Employee Benefits (2014-2020)
- Listed, *The Best Lawyers in America*, Employee Benefits (ERISA) Law (2006-2025)
- George Mason Law Review
- Presidential Management Internship Program, U.S. Government (1985)
- Governor's Fellow, State of Illinois (1983)

[It's] the only firm where our clients can 'get it all' when it comes to solving complex benefits, health care, and retirement legal issues.