

Publications

Gobeille v. Liberty Mutual Insurance Company: Supreme Court Ruling Calls into Question Validity of State APCD Statutes and Claims Taxes with Respect to ERISA-Governed Plans

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PUBLISHED

05/13/2016

SERVICES

Health Services

- State Insurance Regulation
- Federal Insurance Regulation

Litigation

- Health Services Litigation

On March 1st, 2016, the Supreme Court issued its decision in *Gobeille v. Liberty Mutual Insurance Company*, 136 S. Ct. 936 (2016), and held that the Employment Retirement Income Act of 1974 (“ERISA”) preempts a Vermont statute requiring the collection of health care data. The majority (6-2) opinion held that ERISA preempts generally applicable reporting requirements under state laws that “relate to” ERISA plans by attempting to “govern . . . a central matter of plan administration” or “interfere with nationally uniform plan administration.”

The *Gobeille* decision is noteworthy in that it may effectively block a growing trend of states enacting strict reporting regimes applicable, in part, to ERISA-governed insured and self-insured plans. Furthermore, the opinion may undermine other state laws that necessitate gathering health care data — for example, state taxes levied on paid medical claims. As discussed in the attached memo, the scope of the Court’s decision in *Gobeille* is not entirely clear and future litigation at the federal district and circuit court level should be expected regarding the permissibility of states’ specific rules.

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