

Winston's Chicago Office Hosts 15th Annual Employee Benefits Symposium

APRIL 20, 2018

Winston & Strawn's Chicago office hosted the John Marshall Law School Center for Tax Law & Employee Benefit's 15th Annual Employee Benefits Symposium on April 20, 2018.

In an effort to slow the growth of employees' medical expenses, employers (especially large employers) have embraced wellness programs. However, wellness programs come in a variety of shapes and sizes. Navigating through myriad federal laws that affect these programs can be a challenge. To avoid tax implications for employees, the program must abide by certain non-discrimination rules. Non-discrimination rules under the Affordable Care Act (ACA) and the Americans with Disabilities Act (ADA) also may be implicated. And finally, the Health Insurance Portability and Accountability Act (HIPAA) and Title II of the Genetic Information Nondiscrimination Act (GINA) prohibit discrimination against an employee based on adverse health factors and genetic information. Enforcing these rules involve a number of federal agencies—Departments of Health and Human Services, Labor, Treasury/IRS, and the Equal Opportunity Employment Commission (EEOC)—who do not coordinate efforts in how these rules apply to wellness programs.

The half-day seminar provided a refresher on the basics of these rules as applied to workplace wellness programs, recent litigation in this area (especially by efforts on the part of the EEOC), and company best practices.

The Winston panelists included Partners Susan Nash, Cardelle Spangler, Joanna Kerpen, and Amy Gordon.

1 Min Read

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