



Retirement & Welfare Plan Benefits

We advise and counsel clients on a broad spectrum of employee benefits matters relevant to businesses, governments and multiemployer plans. We strategize with our clients on the broader implications of benefit plan design, as well as implementation and administration. As thought leaders, we share and maintain a unique, global understanding of the benefits, health and welfare and retirement legal landscapes.

RETIREMENT PROGRAMS

Our experience includes helping employers navigate the complex world of retirement plan arrangements by assisting with a broad range of matters from plan design to participant communications, while ensuring compliance every step of the way.

Our capabilities extend beyond the purview of traditional defined contribution 401(k) plans and pension plans to include cash balance and other hybrid plans, IRAs, SEPs, SIMPLEs and ESOPs, among other things. Our work in the area ranges from advising on the creation and implementation of plan design changes, to work related to mergers and acquisitions, to representing our clients before government agencies including the Internal Revenue Service (IRS), the Pension Benefit Guaranty Corporation (PBGC) and the Department of Labor (DOL).

HEALTH AND WELFARE PROGRAMS

We offer expert advice and counsel on a broad spectrum of issues related to health and welfare funds, including the draft, design and ongoing administration of employee health and welfare benefit plans. We advise on a number of issues related to employee benefits including, among other things:

- Health care law reform
- Wellness programs
- Medicare secondary payor rules

- Fiduciary compliance
- Disability leaves and the FMLA
- The Health Insurance Portability and Accountability Act (HIPAA) and privacy and security compliance
- State and local legal compliance (including San Francisco's Health Care Security Ordinance (HCSO), voluntary plans, post-Dobbs legislation, as well as COVID-19 related paid leave)
- Claims adjudication
- Subrogation
- General plan administration
- Mental health parity
- Consumer driven health care initiatives, including HRAs and HSAs
- Continuation coverage (COBRA)
- Fringe benefit programs
- Executive physical programs
- Cafeteria plans
- Domestic partnership coverage

In addition, we represent clients before state and federal governmental agencies including the Office of Civil Rights, with regard to HIPAA privacy/security violations; the Center for Medicare and Medicaid Services (CMS), with regard to Medicare retiree subsidies; the DOL with regard to health and welfare plan audits and their voluntary compliance programs, as well as the IRS in payroll tax audits and their employee plan conflict resolution program.

GOVERNMENTAL PLANS

We advise numerous public plans on compliance with the complex state and federal laws and regulations affecting employee health and retirement benefit plan design and implementation and provide specific, written recommendations on amendments to statutes, policies and procedures to ensure the plans we represent are in full compliance with the Internal Revenue Code and other applicable laws. We provide advice on best practices associated with data security in the context of plan administration. We present legal opinions concerning benefits and investment transactions including obtaining necessary opinion letters, letter rulings from the IRS and other state and federal regulatory and governing bodies.

AREAS OF CONCENTRATION

Alternative Investments
 Fiduciary
 Pension Plan Litigation
 Real Estate Investments
 Retirement & Welfare Plan Benefits
 Taxation