

Employee Fringe and Welfare Benefit Plans

Michael J. Canan
William D. Mitchell

**1996
Edition**

Employee Fringe And Welfare Benefit Plans 2002 Edition

**Dennis R. Lassila, Bob G. Kilpatrick,
Ph.D.**



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Employee Fringe and Welfare Benefit Plans Michael J. Canan, William David Mitchell, 2008 ERISA and Health Insurance Subrogation in all 50 States - 5th Edition Gary L. Wickert, 2013-01-01 ERISA and Health Insurance Subrogation In All 50 States is the most complete and thorough treatise covering the complex subject of ERISA and health insurance subrogation ever published NEW TO THE FIFTH EDITION Updated To Include All The Newest Case Law Updated To Include Medicaid Subrogation and Preemption of FEHBA New Plan Language Recommendations Complete Health Insurance Subrogation Laws In All 50 States Covers The Application of ERISA In Every Federal Circuit The Fifth Edition of ERISA and Health Insurance Subrogation In All 50 States has been completely revised edited and reorganized This was partly to reflect the new direction recent case decisions have taken regarding health insurance subrogation as well as the crystallization of formerly uncertain and nebulous areas of the law which have now received some clarity An entirely new chapter entitled What Constitutes Other Appropriate Equitable Relief has been added and replaces the old Chapter 9 which merely dealt with Knudson and Sereboff The new edition introduces new state court decisions addressing the issue of causation and whether and when a subrogated Plan seeking reimbursement must prove that the medical benefits it seeks to recover were causally related to the original negligence of the tortfeasor An entirely new section was added concerning the subrogation and reimbursement rights of Medicare Advantage Plans a statutorily authorized Plan which provides the same benefits an individual is entitled to recover under Medicare This includes recent case law which detrimentally affects the rights of such Plans to subrogate Also added to the new edition is additional law and explanation regarding Medicaid subrogation including the differentiation between cost avoidance and pay and chase when it comes to procedures for paying Medicaid claims Significant improvements have been made to suggested Plan language which maximizes a Plan s subrogation and reimbursement rights The suggested language stems from recent decisions and developments in ERISA and health insurance subrogation from around the country since the last edition The new edition has been completely reworked both in substance and organization Recent case law has necessitated consolidation of several portions of the book and elimination or editing of others A new section entitled Liability of Plaintiff s Counsel has been added which provides a clearer exposition on the laws applicable and remedies available when plaintiff s attorneys and Plan beneficiaries settle their third party cases and fail to reimburse the Plan Also new to the book are recently passed anti subrogation measures such as Louisiana s Senate Bill 169 1881 which states that no health insurer shall seek reimbursement from automobile Med Pay coverage without first obtaining the written consent of the insured The new edition also goes into much greater detail on the procedures for and law underlying the practice of removal of cases from state court to federal court and the possibility of remand back to state court This includes the Federal Courts Jurisdiction and Venue Clarification Act of 2011 effective Jan 6 2012 which amended federal removal venue and citizenship determination statutes in very significant ways The new edition also delves into for the

first time the role which the federal Anti Injunction Act plays when beneficiaries sue in state court to enforce the terms of an ERISA Plan while the Plan files suit in federal court seeking an injunction against the state court action New case law and discussion on preemption of FEHBA subrogation and reimbursement claims have been added to Chapter 10 in the wake of new decisions regarding same

Employee Benefits Answer Book Dorinda D. DeScherer, 2015-06-09 Employee Benefits Answer Book provides comprehensive guidance for those involved in the design and administration of employee benefit plans The Q A format is ideal for probing key topics such as Health care reform COBRA continuation coverage Retiree health care coverage Health coverage portability requirements Group long term care insurance Dependent care assistance Adoption assistance Vacation and severance pay plans Death benefits Financing employee benefits Financial accounting for employee benefits And more Employee Benefits Answer Book will help you Set the best Health Care Reform strategy for your company and your clients Keep in compliance with current and coming requirements Find clear answers to hundreds of employee benefits questions Avoid costly errors related to employee benefits administration Resolve employee benefits issues quickly and effectively And much more The Thirteenth Edition provides up to date coverage of the Affordable Care Act ACA including Transition rules leading to full implementation of the employer shared responsibility requirements in 2015 Guidance on when employer provided health coverage provides minimum value Latest figures for determining affordability of employer provided health coverage Rules governing the interplay of orientation periods with the new limits on waiting periods for health coverage And more Additionally Employee Benefits Answer Book has been updated to include discussions of New guidance on stop loss insurance The Supreme Court s weighing in on vesting of retiree health benefits Final regulations on payment of retiree health premiums by a pension or annuity plan DOL issuance of updated COBRA continuation coverage notices that reflect the Health Exchange option And more

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