

FINAL HIPAA WELLNESS PROGRAM RULES

April 18, 2014

DoubleTree Hotel

10100 College Blvd, Overland Park KS

11:30 a.m. - 1:00 p.m.

This is our annual insurance ethics program. One hour of Kansas and Missouri insurance CE credit is available.

Our speakers, **JULIE VANDER WEELE** and **CHADRON J. PATTON**, are with the law firm of Spencer Fane Britt & Browne LLP and will discuss:

- Types of Wellness Programs
- Incentives/Penalties for Participation
- Final HIPAA Wellness Program Rules
- And Other Laws

Go to www.ebpa-kc.org to register

The registration fee is \$35 for members and \$45 for nonmembers. One hour of CE credit is available for Kansas, and Missouri.

Julia Vander Weele, a partner with Spencer Fane, practices in the firm's Employee Benefits Group. She is also a member of the ERISA Litigation Group. Prior to joining Spencer Fane, Julia worked as in-house counsel for Fortis Benefits Insurance Company, where she managed ERISA litigation and advised senior management on other ERISA issues related to group disability, life, and dental products. She was also a Judicial Law Clerk for the 7th Judicial District of Iowa. Julia received her BA in Sociology, from the University of Iowa College of Liberal Arts. She was awarded her Juris Doctor, with high

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PRESIDENT'S MESSAGE

Welcome to Spring? While we have had some beautiful days here and there, the cold weather just seems to linger on and on. Well, don't fret, they assure us that warmer weather is on its way to Kansas City!



The EBPA will welcome the warm weather with our annual golf tournament on May 19th at The National Golf Club. If you have not already registered, please go to <http://www.ebpa-kc.org/golftournament> to sign-up. We still have several opportunities to sponsor this event, so if you are interested, please feel free to contact me directly at andie.dowell@healthyfit.com or click the link above. Likewise, don't forget to register for our next ethics session at the April 19th luncheon meeting.

I have had the opportunity to attend several conferences focusing on employee benefits over the past several weeks and it was not surprising that whether it was a five-hour event or a full blown three-day seminar, our industry focus continues to be on Healthcare Reform. The keynote speakers shared their views on why it was right or wrong, analyzed the history of Obamacare, and gave tips on how to capitalize on new business opportunities created by the rules and regulation of the Affordable Care Act.

It amazes me that after almost seven years there is still so much to talk about when it comes to this topic. The fact remains that things are not going to slowdown any time soon. The focus of continuing education classes throughout the United States will

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The *EBPA Newsletter* is published quarterly by the Greater Kansas City Employee Benefit Professionals Association, P.O. Box 40071, Overland Park, Kansas 66204-0971 (913) 381-4458, fax (913) 381-9308. Newsletter items should be submitted to the editor, James Winne, Tria Health, 7101 College Blvd, Overland Park, KS 66210, 913-262-2187, jwinne@triahealth.com.

The opinions expressed in the *EBPA Newsletter* are those of the writers and not necessarily those of the Greater Kansas City Employee Benefit Professionals Association.

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FEBRUARY MEETING

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distinction, from the University of Iowa College of Law, where she was Symposium Editor of the Journal of Transnational Law & Contemporary Problems.

Chadron J. Patton is a member of Spencer Fane's Employee Benefits Group. His practice spans the entire spectrum of retirement, health and welfare, and deferred compensation matters. He counsels public and privately-held corporations, collectively bargained Taft-Hartley funds, nonprofit employers, and governmental entities. Prior to practicing law, Chadron worked as a financial consultant in the qualified retirement plan market.

The registration fee is \$35 for members and \$45 for nonmembers. There is a 48 hour cancellation policy.

Participant must be an EBPA member in order to be eligible for the CE credits.

PRESIDENT'S MESSAGE

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continue to be on the issues created by Healthcare Reform throughout 2014 and likely into 2015.

I would like to take a moment to congratulate each of you as employee benefit professionals in the era of Healthcare Reform. Each of you burned the midnight oil in 2013 (and beyond) to understand the complexities of the now six-foot tall document (I'm not sure if that is true or not, but I did hear a rumor that if you were to stack the entire document, it would be almost six-foot tall). The employers you work with are still providing benefits to their employees and they are compliant with the rules of the ginormous act.

Congratulations to you for putting in all of that extra effort!! I am proud to work with and learn from each of you on a daily basis.

Andie Dowell

Mark Your Calendar

May 19, 2014
Golf Tournament
The National
Golf Course

June 19, 2014
Annual Benefits
Seminar
Ritz Charles
Meeting Facility
see pg 4

September, 2014
Luncheon Meeting



Greater Kansas City
Employee Benefit Professionals Association

Legislative Report: The Short Term Future of the Individual Mandate

by Lauren Schultz, Legislative Chair

The federal government's announcement to exempt companies employing between 50 and 100 full-time equivalent employees from the Affordable Care Act's compliance requirements sparked a lot of speculation about the near future for the individual mandate. Given the combination of lower than expected enrollment numbers and the public's unease about requiring individuals to comply with a law that does not apply to the public sector, this speculation is justified.

At the onset of the healthcare marketplace open enrollment period, there were an estimated 17.2 million Americans who were considered subsidy eligible. However, by the end of March, The Kaiser Family Foundation released an estimate that only a net 5 million of individuals had actually enrolled in a plan through healthcare.gov, meaning that the hundreds of billions of dollars invested in what has become known as "Obamacare" only directly impacted less than 2% of our \$300 million Americans.

So what will happen to the roughly 13% of our population that is still uninsured? According to a recent interview with Web MD, President Obama stated that,



"What I think is important for people to understand is that if, in fact, they still can't afford it, there is a hardship exemption in the law. That means they may not be subject to a penalty. The penalty really applies to folks who clearly can afford health insurance but are choosing not to get it."

In this statement, he is essentially describing a portion of the 14 various valid exemptions for individuals who

do not obtain health insurance in 2014 from paying the penalty associated with the Individual Mandate. While some of those exemptions include things such as being impacted by a natural disaster, the death of a close family member, filing for bankruptcy, or homelessness, the 14th exemption expands the "hardship exemption" to include hardship in obtaining

health insurance (only requiring people to submit documentation "if possible").

While the federal government probably will not officially delay or remove the Individual Mandate, it will effectively do so by making it practically unenforceable or applicable to any uninsured person(s). (Laszewski, Health Care Policy and Marketplace Review).

Sign Up for Golf!

Annual Golf Tournament May 19, 2014

11 am registration, 12:00 pm shotgun start
The National Golf Club
6700 N. National Drive, Parkville, MO

Register yourself or a team (\$125 per person, or \$400 for a team)

Check out the web site for sponsorship opportunities



Coming in June . . . watch your emails for further information

EMPLOYEE CONSUMERISM: TOOLS FOR SAVINGS ANNUAL BENEFITS SEMINAR

June 19, 2014

Ritz Charles Meeting Facility, Overland Park, KS

- 7:30 am Registration and breakfast
- 8:00 am **BORING BENEFITS? REJUVENATE THE WAY YOU COMMUNICATE**
Karrie Andes, CBP, SPHR, PGi
- 9:00 am **TELEMEDICINE**
Garry Ripple, M.D., FCCP and Steve D. Kropp, M.S., Saint Luke's Health System
- 10:00 am **PRICE TRANSPARENCY: UNLOCKING VALUE IN THE HEALTHCARE SYSTEM**
Michael O'Neil, Healthcare Bluebook
- 11:00 am **SELF-FUNDED PLANS AND INCENTIVIZED HEALTH EDUCATION**
Tom Applehans, Meritain Health
- 12:00 PM **LUNCH and ETHICS SPEAKER (TBD)**

**Check out our web site at:
www.ebpa-kc.org**

Notice of CEU Procedures

Participants must sign in at the registration desk **AND** submit a completed evaluation form in order to receive CEU credits. Documents will not be accepted by mail. **CEU credit is available to 2014 EBPA members only.**

Check Your CE Credits

EBPA files all credits for meetings electronically with the states of Kansas and Missouri. You are able to check the credits that have been filed on your behalf by going to:

Kansas: <http://www.ksinsurance.org/industry/agent/conted.htm>
Missouri: http://insurance.mo.gov/agents/ce/ce_res.php

You must be a member of EBPA in order to receive the CE credits from a meeting. An evaluation form must be completed and turned in at each meeting, as well as the sign-in sheet completed.