

# Employee Fringe and Welfare Benefit Plans

## 2025 Edition

By Michael J. Canan and William Mitchell

This unique work provides step-by-step guidance through all aspects of employee fringe and welfare benefit plans, with extensive references to controlling statutes, regulations, administrative guidance, and court decisions to support and extend your research. *Employee Fringe and Welfare Benefit Plans* offers expert analysis of the law as well as discussion of specific points of law on nonqualified deferred compensation plans.

The authors, experts in this area, walk you through this particularly complex area of practice, providing insightful practical guidance while covering such relevant topical areas as:

- Employee discounts
- Employee awards
- Death benefits
- Cafeteria plans
- Executive compensation
- Property transferred in connection with employment
- Deferred compensation, including stock options, stock plans and stock

Highlights in this Edition include:

- *Updated* § 1:1 Coverage Under ERISA—General
- *Updated* § 1:18 What plans are excluded from coverage under Title I of ERISA—Payroll practices
- *Updated* § 1:55 ERISA preemption—When does a state law relate to an ERISA plan—Health care
- *New* § 4:18 Family building benefits programs
- *Updated* § 5:9 Applicability of Section 83 to stock options
- *Updated* § 10:44 HIPAA privacy regulations—Overview
- *Updated* § 10:49 HIPAA privacy regulations—Exceptions to general rule of nondisclosure—Permissive disclosures
- *Updated* § 10:50 HIPAA privacy regulations—Exceptions to general rule of nondisclosure—Authorizations
- *Updated* § 10:63 Security rules
- *Updated* § 10:72 COBRA—Occurrence of qualifying event and notice of right to elect COBRA coverage—Notice to or from qualified beneficiary

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- *Updated* § 10:80 Other laws concerning health benefits—ERISA
- *Updated* § 10:82 Other laws concerning health benefits—Newborns’ and Mothers’ Health Protection Act of 1996, Mental Health Parity Act of 1996, and Mental Health and Addiction Equity Act of 2008
- *Updated* § 10:144 Surprise billing for emergency out-of-network services
- *New* § 10:146 Cross plan offsetting
- *Updated* § 10A:1 Summary of Patient Protection and Affordable Care Act of 2010 (ACA)
- *Updated* § 10A:7 Premium Assistance Tax Credits and Cost Sharing for Eligible Employees through the Exchange
- *Updated* § 11:1 Life insurance and other death benefits—Generally
- *Updated* § 12:7 Nontax laws—ERISA
- *Updated* § 12:11 Plan design
- *Updated* § 16:1 Enforcing participant’s and other’s rights—Generally
- *Updated* § 16:3 Civil enforcement provisions—Parties who may bring on action under ERISA
- *Updated* § 16:5 Civil enforcement provisions—Action for benefits due, to enforce rights under plan, or to clarify rights to future benefits
- *Updated* § 16:7 Civil enforcement provisions—Action for breach of fiduciary duty
- *Updated* § 16:9 Civil enforcement provisions—Action for statutory penalty for nondisclosure
- *Updated* § 16:22 Administrative review and exhaustion of plan remedies
- *Updated* § 16:33 Standard of review—Aftermath of *Fires-tone v. Bruch*—Abuse of discretion review
- *Updated* § 16:38 Standard of review—Aftermath of *Fires-tone v. Bruch*—Flagrant procedural violations
- *Updated* § 16:65 Domestic relations matters
- *Updated* § 18:1 Severance plans and golden parachute payments—Generally

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