EMPLOYEE BENEFITS SPRING UPDATE

April 1, 2020

Steptoe & Johnson LLP

1330 Connecticut Avenue, NW, Washington, DC

Early Bird Registration Deadline: March 4
Hotel Registration Deadline: March 10

To Register On-line or For More Information: www.americanbar.org/jceb/ (202) 662-8641

5.83 CLE Credit Hours (including 1.00 Ethics Hour) have been requested from 60-minute states and
7.00 CLE Credit Hours (including 1.20 Ethics Hours) have been requested from 50-minute states
EMPLOYEE BENEFITS SPRING UPDATE
AGENDA
(As of February 24)

WEDNESDAY • April 1, 2020

9:20 – 9:50  REGISTRATION AND NETWORKING CONTINENTAL BREAKFAST (Non-CLE)

9:50-10:00 WELCOMING REMARKS (Non-CLE)
Co-Chairs:  Emily S. Costin, Alston & Bird LLP
            Jason P. Lacey, Foulston, Siefkin LLP
            Alan Tawshunsky, Tawshunsky Law Firm PLLC

10:00-10:50 EXECUTIVE COMPENSATION UPDATE
This session will provide an in-depth explanation of the proposed regulations under section 162(m), as well as other current developments in executive compensation.
Moderator:  Alan Tawshunsky, Tawshunsky Law Firm PLLC
Speakers:  Robert J. Neis, Eversheds Sutherland (US) LLP
            Stephen B. Tackney, Deputy Associate Chief Counsel (Employee Benefits), Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Chief Counsel, Internal Revenue Service (Invited)

10:50-11:40 HOT TOPICS FOR HEALTH AND WELFARE PLANS
This session will get you up to speed on significant recent developments impacting health and welfare benefit plans. Panelists will discuss recent administrative guidance, including guidance on transparency in coverage, health reimbursement arrangements, and high deductible health plans. Recent legislative changes affecting ACA taxes and the PCORI fee will also be addressed, along with an update on key litigation affecting group health plans, including the latest on Texas v. US.
Moderator/Speaker:
            Jason P. Lacey, Foulston, Siefkin LLP
Speakers:  Kathryn Johnson, American Benefits Council (Invited)
            Kevin P. Knopf, Senior Technician Reviewer, Employee Benefits, Exempt Organizations, and Employment Taxes, Health and Welfare Branch, Office of Chief Counsel, Internal Revenue Service (Invited)
            Tiffany Santos, Trucker Huss, APC

11:40-12:30 ERISA LITIGATION UPDATE
Updates on hot topics and trends in ERISA litigation, including recent Supreme Court decisions.
Moderator:  Emily S. Costin, Alston & Bird LLP
Speakers:  Karen L. Handorf, Cohen Milstein
            George Sepsakos, Groom Law Group
            Wendy K. Von Wald, Travelers Insurance Company

12:30-1:10 LUNCH (Non-CLE)
1:10-2:40  QUALIFIED PLANS UPDATE
Experienced government and private sector speakers will provide insights on the key provisions of the SECURE Act, as well as the Labor Department’s proposed regulations on electronic disclosure and other current developments affecting qualified plans.

Moderator: Alan Tawshunsky, Tawshunsky Law Firm PLLC
Speakers: Jason E. Levine, Senior Technician Reviewer, Qualified Plans Branch 4, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Associate Chief Counsel, Internal Revenue Service (Invited)
Linda S. Marshall, Senior Counsel, Qualified Plans Branch 1, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Chief Counsel, Internal Revenue Service
Veena K. Murthy, Crowe LLP
Ronald J. Rutherford-Triche, Branch Chief, Qualified Plans Branch 2, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Associate Chief Counsel, Internal Revenue Service (Invited)

2:40-3:30  HOW DO THE CALIFORNIA CONSUMER PRIVACY ACT AND OTHER STATE DATA PRIVACY LAWS IMPACT EMPLOYEE BENEFIT PLANS?
ERISA’s broad preemption provision has historically exempted many employee benefit plans from compliance with most state law, but preemption of state law is not absolute, and the recent expansion of state laws on data privacy has raised challenging questions regarding the impact of those laws on employee benefit plans. This session will examine the impact of the California Consumer Privacy Act (CCPA) on employee benefit plans as a model regarding the applicability of state data privacy laws to employee benefit plans and their service providers.

Moderator/Speaker: Jason P. Lacey, Foulston Siefkin LLP
Speakers: TBD

3:30-3:50  AFTERNOON BREAK (Non-CLE)

3:50-4:50  ATTORNEY-CLIENT PRIVILEGE AND THE FIDUCIARY EXCEPTION (Ethics Credit)
Practitioners tackle real-world situations concerning benefit plans where the attorney-client communication privilege, the attorney work-product privilege and the fiduciary “exception” to those privileges might intersect, and how to approach them.

Moderator/Speaker: Emily S. Costin, Alston & Bird LLP
Speaker: Jason P. Lacey, Foulston Siefkin LLP

4:50  ADJOURN

FACULTY

Emily S. Costin, Program Co-Chair, Alston & Bird LLP, Washington, DC
Karen L. Handorf, Cohen Milstein, Washington DC
Kathryn Johnson, American Benefits Council, Washington, DC (Invited)

Kevin P. Knopf, Senior Technician Reviewer, Office of Chief Counsel, (Employee Benefits, Exempt Organizations, and Employment Taxes), Health and Welfare Branch, Internal Revenue Service, Washington, DC (Invited)

Jason P. Lacey, Program Co-Chair, Foulston, Siefkin LLP, Wichita, KS

Jason E. Levine, Senior Technician Reviewer, Qualified Plans Branch 4, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Associate Chief Counsel, Internal Revenue Service, Washington, DC (Invited)

Linda S. Marshall, Senior Counsel, Qualified Plans Branch 1, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Chief Counsel, Internal Revenue Service, Washington, DC

Veena K. Murthy, Crowe LLP, Washington, DC

Robert J. Neis, Eversheds Sutherland (US) LLP, Washington, DC

Ronald J. Rutherford-Triche, Branch Chief, Qualified Plans Branch 2, Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Associate Chief Counsel, Internal Revenue Service, Washington, DC (Invited)

Tiffany Santos, Trucker Huss, APC, San Francisco, CA

George Sepsakos, Groom Law Group, Washington, DC

Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Employee Benefits, Exempt Organizations, and Employment Taxes, Office of Chief Counsel, Internal Revenue Service, Washington, DC (Invited)

Alan Tawshunsky, Program Co-Chair, Tawshunsky Law Firm PLLC, Washington, DC

Wendy K. Von Wald, Travelers Insurance Company, Denver, CO

ATTEND THE PROGRAM AND LEARN WHAT YOU NEED TO KNOW ABOUT:

- Potential legislation and other current developments regarding qualified retirement plans
- Emerging issues affecting health and welfare benefit plans
- New guidance implementing important changes made to executive compensation
- Ins and outs of data privacy and security
- Hot topics in ERISA Litigation
- Attorney-client privilege and the fiduciary exception
- Other recent developments that significantly affect employee benefits
TUITION
Attend the entire program, the breakfast, luncheon, and network with other registrants and faculty. Registrations must be postmarked, e-mailed or faxed by March 4th to receive the Early Bird discount.

**Early Bird Registration — On or Before March 4th**
- $619 General Public
- $557 ABA Member
- $495 Sponsoring Section Member

**Full Tuition — After March 4th**
- $681 General Public
- $612 ABA Member
- $545 Sponsoring Section Member

**On-Site Tuition**
- $744 General Public
- $670 ABA Member
- $595 Sponsoring Section Member

**Webstreaming / On Demand Tuition**
- $615 Full Day
- $260 – 10:00am – 12:30pm EST
- $245 – 1:10pm – 3:30pm EST
- $110 – 3:50pm – 4:50pm EST

ADDITIONAL SAVINGS
Receive a 25% tuition discount if you are a JCEB Employee Benefits Passport holder.

OR
Receive a $100 tuition discount if you are also registered for the 2020 ERISA Fiduciary Institute scheduled for April 2nd in Washington, DC.

OR
If two or more register from the same firm, one registrant will receive a $50 reduction in program tuition! Registrants will have access to the program website to download materials prior to the conference and any additional materials handed out on-site. Each registrant will also be eligible for MCLE accreditation within those states that require continuing legal education.

To register with any of these discounts contact karen.case@americanbar.org.

SCHOLARSHIPS
Scholarships to defray the tuition expense for this program are available upon application, on a case-by-case basis. Preference will be given to full-time LL.B. candidates, public interest lawyers, government lawyers, fulltime law professors, solo or small firm practitioners of limited means, and unemployed attorneys. To request an application or receive additional information, contact Karen Case at 202.662.8641 or Karen.Case@americanbar.org. Scholarship applications must be received at least two weeks before the program start date. You will be notified prior to the program if your application is approved. A minimum fee may be charged on all approved scholarship applications to defray expenses. For programs with tuition costs over $500, qualifying attorneys will receive at least a 50% reduction in the course fees(s).
COMPLAINT RESOLUTIONS
Please call Karen Case at 202-662-8641.

CANCELLATIONS AND REFUND INFORMATION
Cancellations will be honored on the following basis:
• Until March 4th – 100% Refund minus $50 administrative fee*
• After March 4th** – No Refund

*Day of Cancellation is the day the cancellation is received by the ABA. It is calculated based on the number of ABA business days remaining before the National Institute.

**No refund will be made for cancellations received after March 4th; written confirmation of refund requests must be received within 14 days following the program. Substitute registrants for the Employee Benefits Spring Update are welcome. Please contact Karen Case at 202.662.8641.

MCLE
The ABA will seek 5.83 hours of CLE credit in 60-minute states (including 1.0 ethics hours), and 7.00 hours of CLE credit (including 1.2 ethics hours) for this program in 50-minute states. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit the program website at https://www.americanbar.org/events-cle/mtg/inperson/393002672/ for CLE program specific details, or visit www.americanbar.org/mcle for general information on CLE at the ABA.

CPE
The American Bar Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit.

Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

Recommended CPE Credits and Fields of Study: Program attendees can earn up to 7.00 CPE credits in Specialized Knowledge and Behavioral Ethics fields of study

Prerequisites: Previous experience in employee benefits law; Advanced Preparation: None; Program Level: Intermediate; Delivery Method: Group-Live

HOTEL INFORMATION
DEADLINE FOR HOTEL RESERVATIONS: Tuesday, March 10
A limited number of rooms have been set aside at the St. Gregory Hotel, 2033 M St NW, Washington, DC 20036, at the discounted rate of $299 for single or double occupancy plus a $20 facility fee. The facility fee includes a daily wine and cheese reception from 5:30 pm to 6:30 pm, water bottles in each room, premium internet, coffee service daily in lobby, and Peloton bikes in the Fitness Center.

Make your reservation online at https://stgregoryhotelwdc.reztrip.com/classic/en/special_offer?action=show&controller=landings&locale=en&rate_code%5b%5d=ABA&rate_code%5b%5d=ABA&starting_page=special_offer&vr=3 or call the hotel directly at (202) 530-3600. Be sure to mention the ABA to receive the special discounted rate. All reservations must be guaranteed with a major credit card.
ABA NEGOTIATED AIRFARE DISCOUNTS – AVAILABLE ONLINE
ABA Negotiated Airfare Discounts – Available Online!

With ABA Egencia*, you can automatically obtain ABA negotiated airfare discounts for travel to the ABA Meetings. ABA Egencia enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination.

Reservations with ABA Egencia can be made online at https://www.egencia.com/public/us/ or offline. For offline reservations, call (877) 833-6285. ABA Egencia is available online via ABA Travel Services*.

ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

American Airlines
ABA Discount only available at ABA Egencia https://www.egencia.com/public/us/

United Airlines
For ABA Meetings Only
Via Phone: 800-426-1122
Agreement Code: 842742 / Z Code: ZHPV

Discount available at www.united.com/meetingtravel and enter ZHPV842742 in the Offer Code box. Discount will be applied at ticketing. NOT for Leisure Travel

Please note there is not a service fee for reservations booked and ticketed via the reservation 800 number.

Delta Airlines
Via Phone: 800-328-1111
Or 800-328-2216* Delta Meeting Network® Monday–Friday, 7:00 a.m.– 8:30 p.m. (ET) and Refer to Meeting Event Code NMTQR


Please note there is not a service fee for reservations booked and ticketed via the reservation 800 number.

Southwest
Southwest tickets can be booked on ABA Egencia. If not booking via ABA Egencia you can book via http://www.swabiz.com and use ABA SWABIZ Company ID 9942890

*A Travel Profile is required when booking airline reservations with ABA Egencia. Visit http://www.americanbar.org/travel for more information.
UNABLE TO ATTEND?
The On Demand version of the National Institute will be available after the program. To pre-order, visit the ABA web store, or complete and return the Registration and Order Form. Additional information is available by visiting the JCEB web site, www.americanbar.org/jceb or calling 202.662.8641.

SERVICES FOR PERSONS WITH DISABILITIES
If special arrangements are required, please contact Karen Case at 202.662.8641. Reasonable advance notice is requested.

EM Employee Benefits Passport
The JCEB is proud to offer you the Employee Benefits Passport – an annual subscription service that will be your passport to access, for one low price, all the JCEB’s webinars and to attend any or all of the JCEB’s renowned in-person National Institutes with a 25% discount. Whatever your level of experience is - a seasoned ERISA/employee benefits practitioner, someone new to the practice area or someone in between - the Employee Benefits Passport gives you a new way to access JCEB programs to help you stay up-to-date on the ever-changing employee benefits landscape and get tips from the experts on compliance best practices.

For more information call 202.662.8641 or see the JCEB’s website: http://www.americanbar.org/jceb.org.

MARK YOUR 2020 CALENDAR AND CHECK OUR WEBSITE FOR UPCOMING PROGRAMS
www.americanbar.org/jceb/

April 2
ERISA FIDUCIARY INSTITUTE: Know Your Responsibilities
Washington, DC

June 15-17
National Institute on
ERISA BASICS, Washington, DC

October 7-9
National Institute on
ERISA BASICS, Chicago, IL

October 26-27
National Institute on
HEALTH AND WELFARE BENEFIT PLANS, Arlington, VA

November 5-7
National Institute on
EXECUTIVE COMPENSATION, Washington, DC
REGISTRATION AND ORDER FORM

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ABA# ____________________________

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ON-SITE TUITION
❍ $744 General Public
❍ $670 ABA Member
❍ $595 Sponsoring Section Member

ABA# ____________________________

GOVERNMENT TUITION
❍ $298 Government Rate

WEBSTREAMING TUITION
❍ $615 Full Day
❍ $260 – 10:00am – 12:30pm EDT
❍ $245 – 1:10pm – 3:30pm EDT
❍ $110 – 3:50pm – 4:50pm EDT

TO REGISTER:
Online: http://www.americanbar.org/jceb/ with credit card payment
Mail: American Bar Association
Attn: Service Center—Meeting/Event Registrations Department Meeting Code: EB040120EBSU
321 N. Clark Street, Floor 19
Chicago, IL 60654

PAYMENT: Must include one of the following:
❍ Check made payable to: American Bar Association - JCEB
❍ Credit Card: MasterCard, VISA or American Express

Please check here if you need CPE Credit: □ CPE

Name_____________________________Organization__________________________
Address_________________________________________________________________
City________________State____Zip__________Phone_______________________

*Tax: DC residents add 6%. IL residents add 10.25%, before including postage and handling charges. Price is subject to change after 04/02/2020.

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ABA SPONSORING SECTIONS
Join one of these dynamic Sections, and become active in one of their employee benefit committees. Join the ABA and one or more of the Sections when registering for this program and save on the program tuition.
❍ I am interested in becoming a member of the American Bar Association. Please send me information and membership forms.
❍ I am an ABA member, but want a further reduction on my tuition for this program. Please enroll me into the Section listed below; I have enclosed a separate check made payable to the ABA.

❍ Section of Business Law, $65
❍ Section of Labor and Employment Law, $75
❍ Section of Taxation, $75

❍ Section of Health Law, $50
❍ Section of Real Property, Trust and Estate Law, $75
❍ Section of Tort Trial and Insurance Practice, $50

APRIL 1, 2020 – Steptoe & Johnson LLP, 1330 Connecticut Avenue, NW, Washington, DC 20036
❍ I have also registered for the 2020 ERISA Fiduciary Institute. Please apply the $100 tuition reduction.
❍ Please apply the 25% discount for JCEB Employee Benefits Passport Holders.
❍ Two or more people have registered with me; please apply the $50 tuition reduction to the tuition rate indicated.

ON DEMAND TUITION
❍ $615 On Demand CLE Full Day
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