

Welfare Benefits & ERISA

ATTORNEYS

- James D. Noël
- Reinaldo L. Figueroa-Matos

RELATED PRACTICE AREAS

- Employee Benefits

McConnell Valdés Welfare Benefits & ERISA attorneys are leaders in their field. In advising the management of large and small companies, we are guided by an unwavering commitment to providing creative solutions to their problems and concerns.

Members of our exceptionally capable team draw on reserves of substantive knowledge and experience, as well as the firm's robust resources, to counsel employers and plan administrators on issues concerning their sponsored benefits plans.

We offer comprehensive counsel on issues arising from the design, administration and termination of welfare benefits covered by ERISA. Clients regularly call on us for legal guidance on issues affecting the administration of group health plans and their compliance with laws and regulations such as ERISA, HIPAA, and COBRA. Additionally, Welfare Benefits & ERISA team members counsel our clients on employee welfare benefits issues related to mergers and acquisitions.

As strategic counselors and zealous advocates, we defend employers from judicial and extra-judicial claims related to issues arising from ERISA-covered welfare and pension benefit plans.

What We Do

Our Welfare Benefits & ERISA offers counsel to clients concerning:

- General obligations and responsibilities under ERISA
- Assistance with understanding and complying with the applicable laws and regulations pursuant to ERISA, HIPAA, and COBRA
- Reporting and disclosure obligations towards employees, including preparation of plan documents, summary plan descriptions, and summary of material modifications
- Reporting and disclosure obligations to applicable government agencies, including the preparation of Form 5500 and Form M-1 when necessary
- Breach of fiduciary duties
- Strategic solutions to issues arising from complex, sensitive business situations, such as mergers and acquisitions and U.S. Department of Labor audits

- Denial of benefits
- Health portability, security, privacy, and non-discrimination requirements under HIPAA
- An employer's risks and responsibilities when reducing or terminating benefits, including active or retiree benefits
- Continuation coverage rules under COBRA
- Amendments to group health plans and other compliance issues pursuant to the Affordable Care Act.