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# WHAT TO EXPECT FROM A HEALTH PLAN INVESTIGATION

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United States Department of Labor  
Employee Benefits Security  
Administration



# Outline of Presentation

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- B  $\int_{A}^B f(x) dx = F(B) - F(A)$
- E  $\int_{A}^B f(x) dx = F(B) - F(A)$
- $\int_{A}^B f(x) dx = F(B) - F(A)$
- H  $\int_{A}^B f(x) dx = F(B) - F(A)$
- EB  $\int_{A}^B f(x) dx = F(B) - F(A)$
- C  $\int_{A}^B f(x) dx = F(B) - F(A)$
- C  $\int_{A}^B f(x) dx = F(B) - F(A)$

# **General Organization Overview**

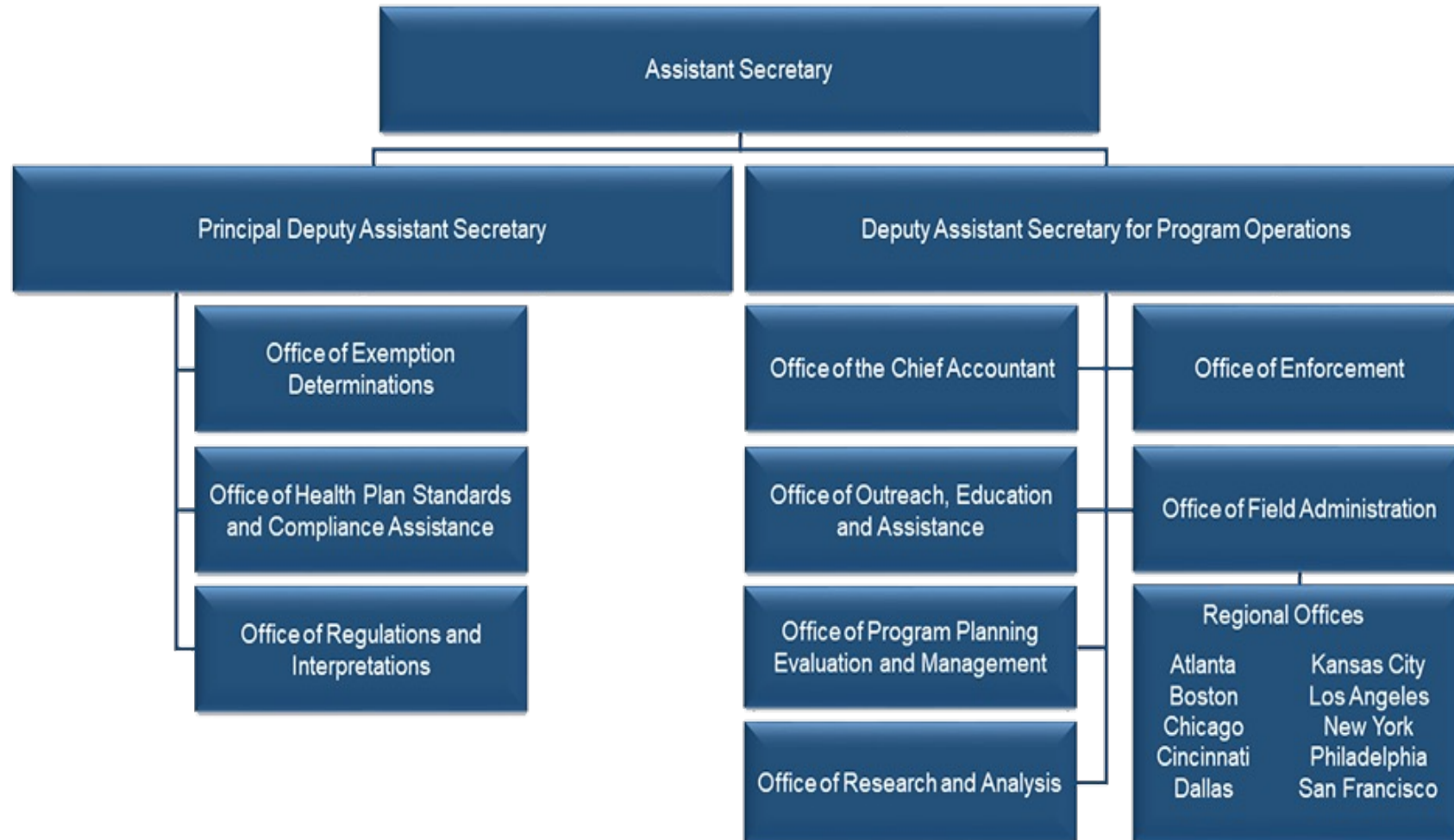
**The Employee Benefits  
Security Administration  
(EBSA)**

# EBSA's Mission Statement

EBSA is a non-profit organization that provides  
A comprehensive range of services to support  
the development of the business sector,  
including training, advisory services, and  
access to finance. A key focus is to  
improve the competitiveness of small and medium  
enterprises.

- To provide training and advisory services to small and medium enterprises.
- To provide access to finance for small and medium enterprises.
- To improve the competitiveness of small and medium enterprises.

# Organization Chart



# EBSA - Structure

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**NATIONAL  
OFFICE**

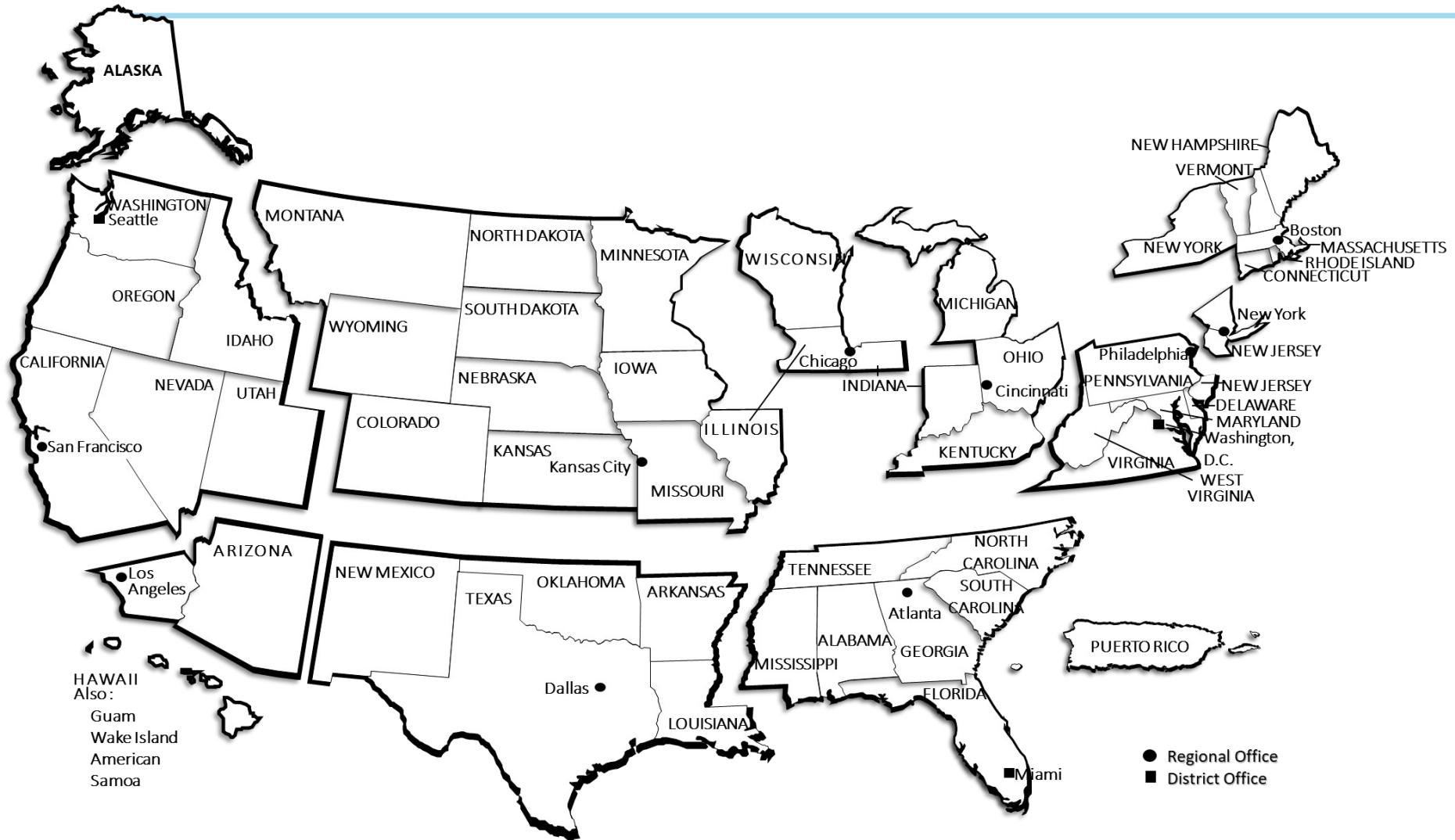
E  
D  
C  
C H B  
E C

**REGIONAL  
OFFICES**

C E A  
B A  
C



# EBSA Field Offices

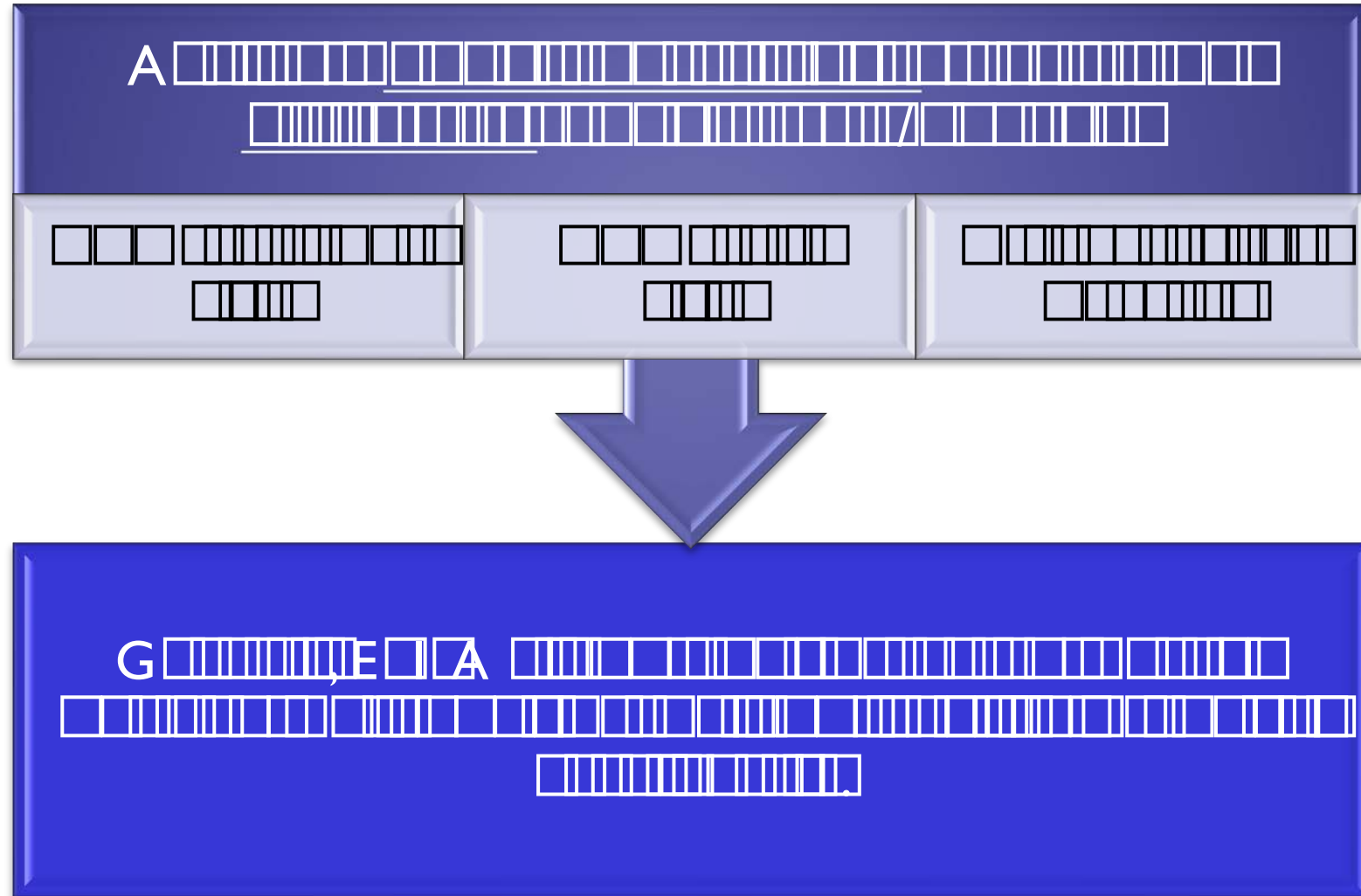




# **ERISA Basics for Group Health Plans**

# Employee Retirement Income Security Act (ERISA)

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# A Few Basic Things a Group Health Plan Must Have:

Group Health Plan (GHP) must have a written plan document.

A group health plan must have a written plan document that describes the plan's terms, conditions, and benefits.

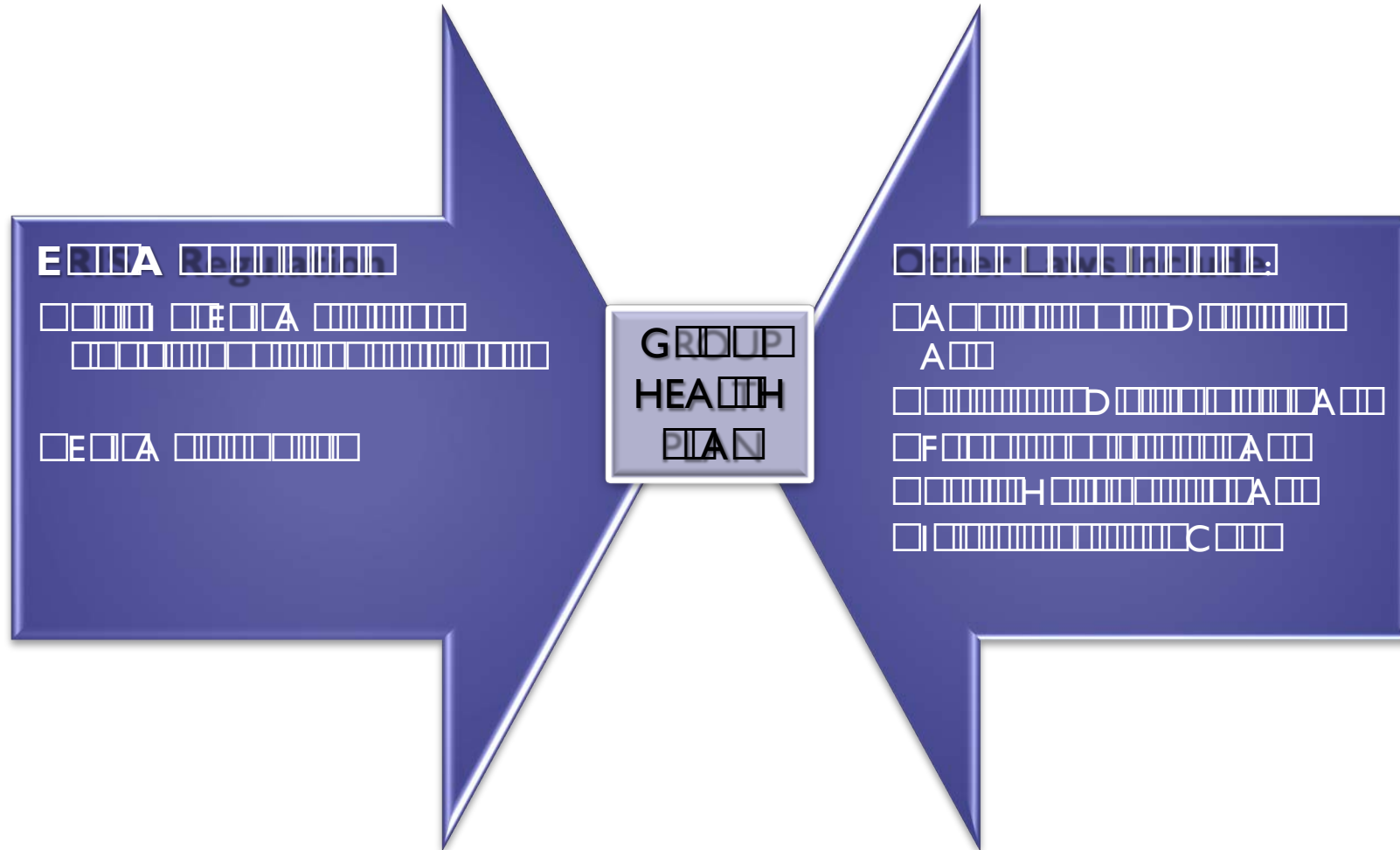
Group Health Plan (GHP) must have a written plan document.

Group Health Plan (GHP) must have a written plan document & a summary plan description (SPD).

Group Health Plan (GHP) must have a written plan document (including a summary plan description) that describes the plan's terms, conditions, and benefits.

# Regulation of Group Health Plans

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# Health Laws Included in ERISA Part 7

Employee Retirement Income Security Act (ERISA)

Consolidated Omnibus Budget Reconciliation Act (COBRA)

Health Insurance Portability and Accountability Act (HIPAA)

Employee Health Insurance Act (EHTA)

Health Insurance Reform Act (HIRA)

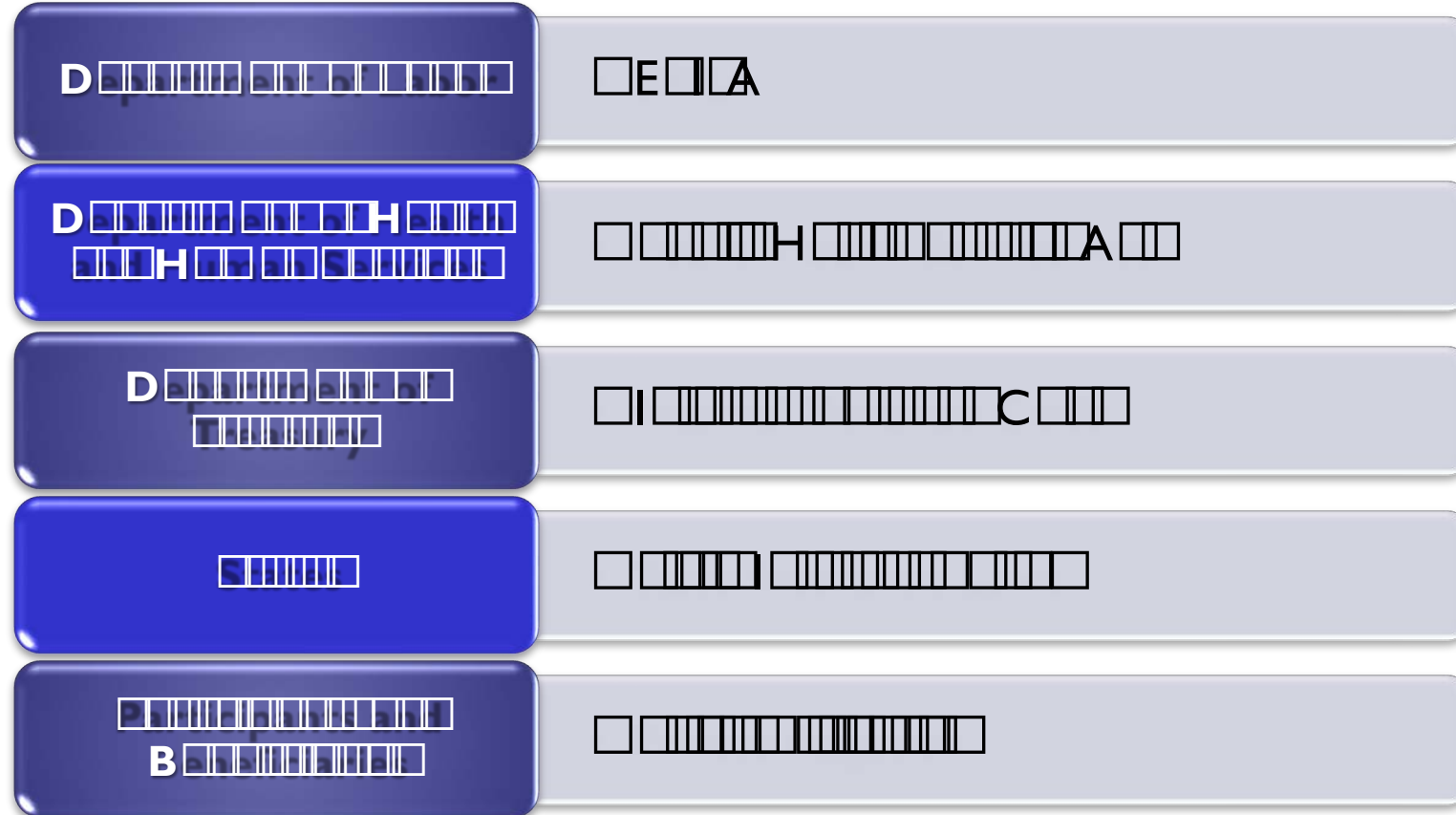
Health Insurance Portability and Accountability Act (HIPAA)

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# Enforcement and Jurisdiction







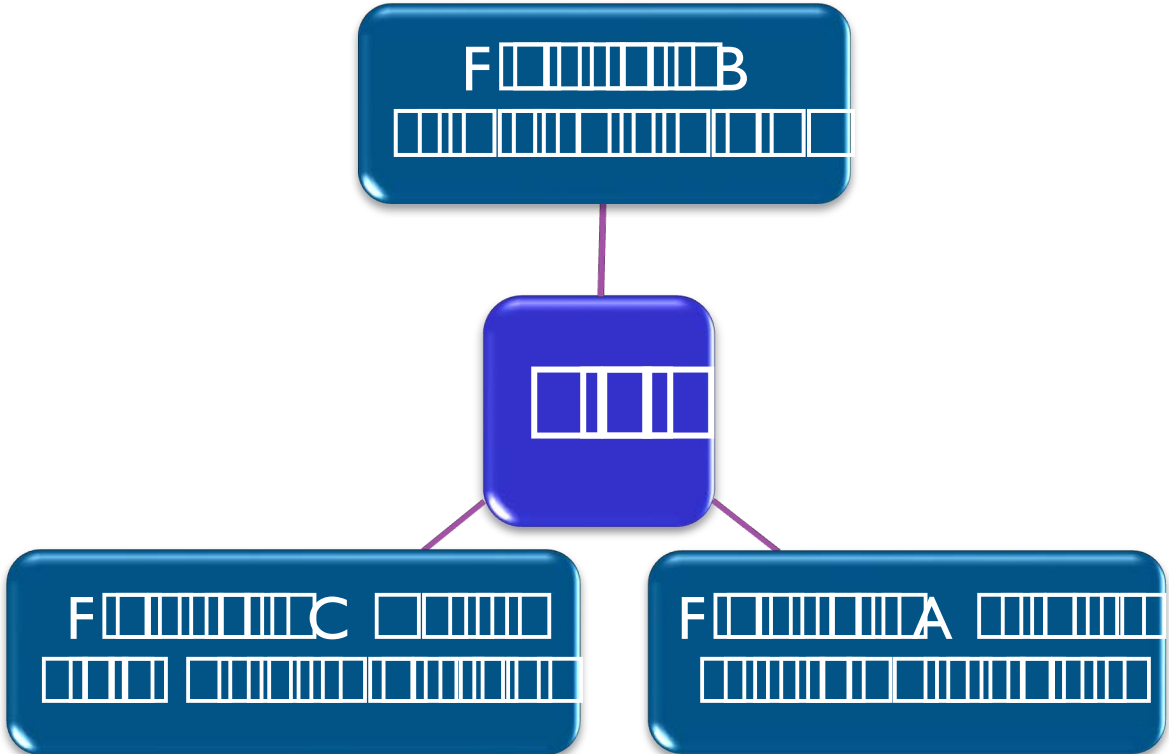
# A Fiduciary is any person

Named as a plan fiduciary in plan documents – or who:

- Exercises discretionary authority or control over plan assets – or
- Exercises investment authority over plan assets – or
- Has authority to borrow plan assets (including the right to borrow)

# Plan Fiduciaries

- [Barcode]
- F [Barcode]





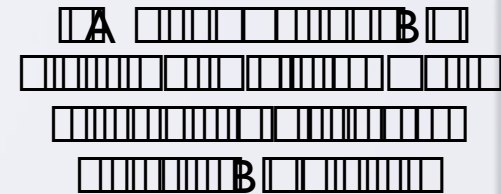
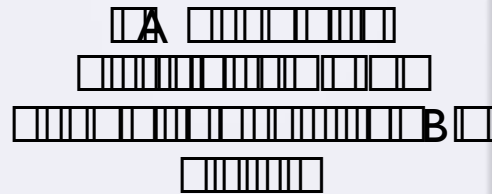
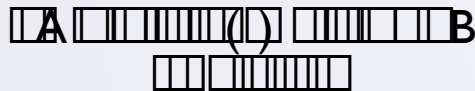
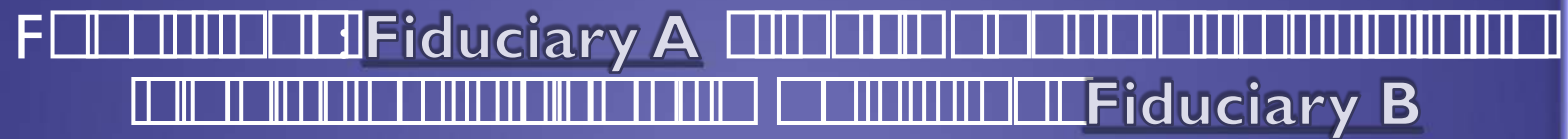
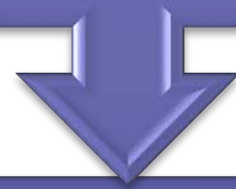


Fiduciaries must NOT cause the Plan to engage in a prohibited transaction such as:

- Sale or exchange of plan assets with party in interest (PII)
- Extension of loan or credit to PII
- Contract for goods, services or facilities with PII
- Transfer plan assets to a PII for their use or benefit

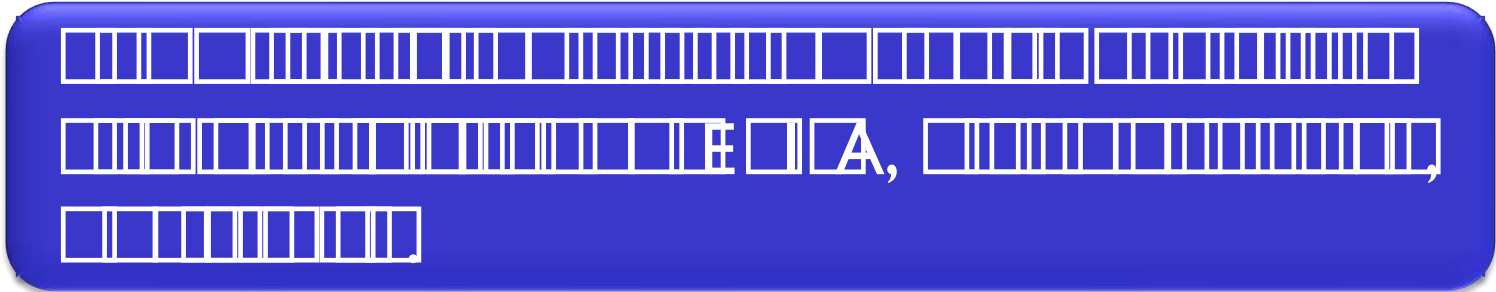
\* Note that if a Plan/fiduciary/party in interest satisfies the requirements of a prohibited transaction exemption, the above transactions could be permissible

# Fiduciaries





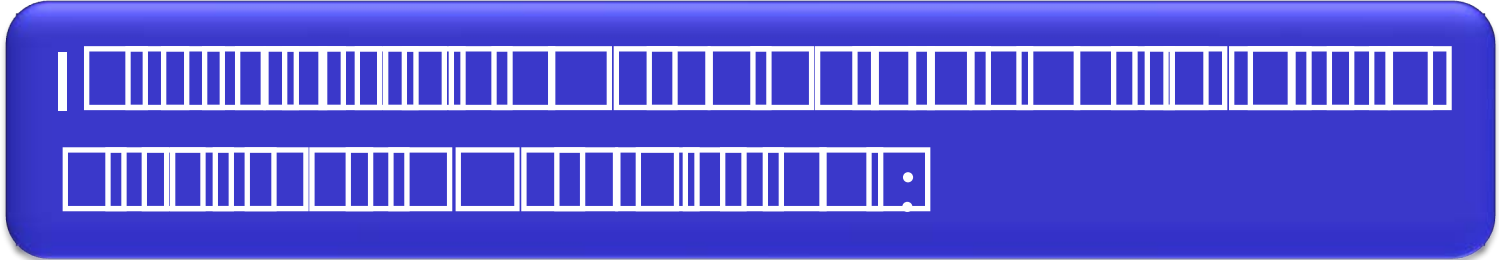




**E** x a m p l e s i n c l u d e :

- A [barcode]
- F [barcode]
- [barcode]

# Types of investigations

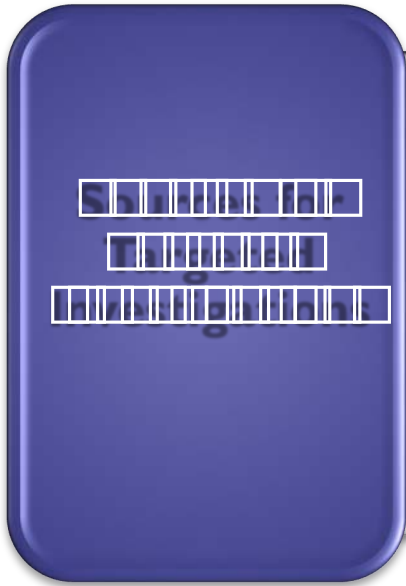


The Plan

The Plan  
Spencer

A Search  
provider

A  Individual



[Barcode]

F [Barcode] 5500/F [Barcode] [Barcode]-I [Barcode]

[Barcode]

[Barcode]

[Barcode]

A [Barcode]




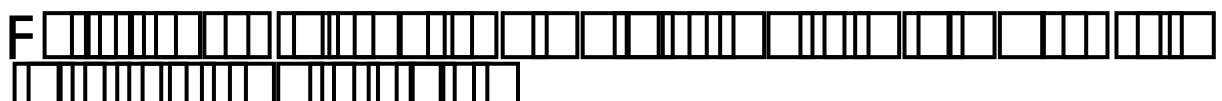
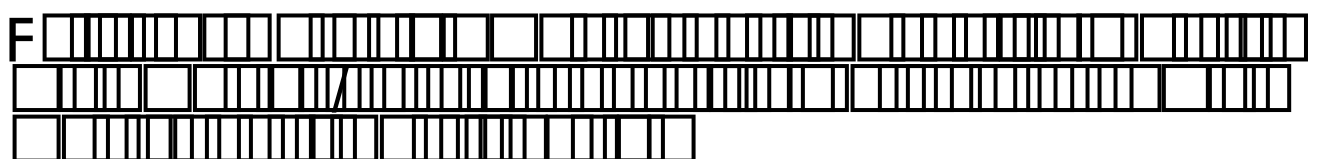

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# **National Health Enforcement Initiatives Project**



E   G  H   

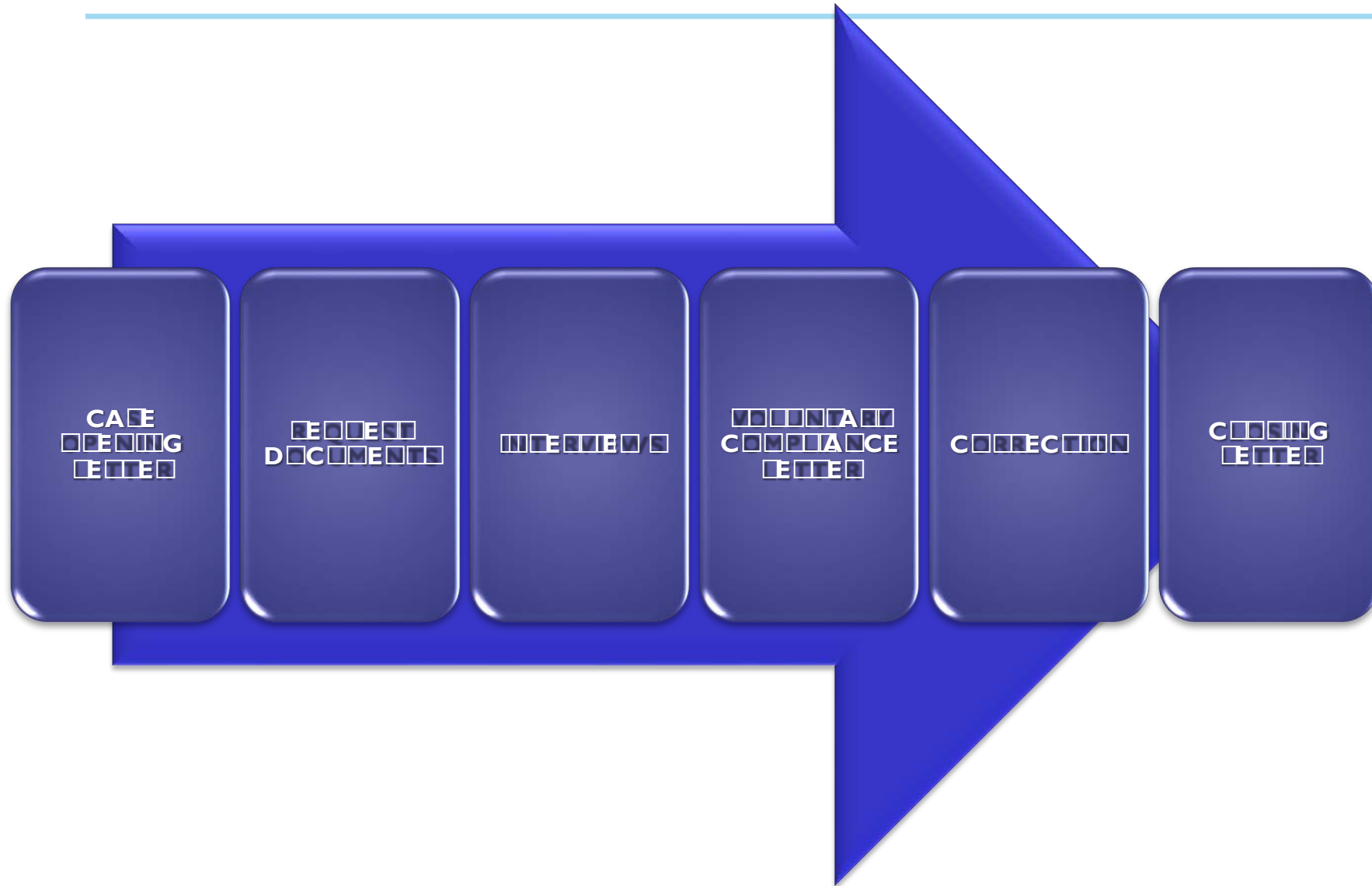

- F 
- I 
- F 
- F 
- F 
- F 



# Investigative Process

# General Process for Civil Plan Investigations

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# **Correction & Voluntary Fiduciary Compliance Program**

C [barcode]














- EB A [barcode]
- F [barcode]
- H [barcode] - C [barcode]
- [barcode], [barcode] (1)
- C [barcode] FC [barcode]
- C EB A [barcode]

# C [barcode] D [barcode] [barcode]






- [barcode], [barcode] [barcode] [barcode]
- [barcode] [barcode], [barcode] EB A [barcode]
- C [barcode]
- [barcode]

D 



- 
-  B 
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- D 
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- 
- 
- A 

# C

- 
- H 
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- F 
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(FC)

- 
- C
- 
- EB A
-

# Compliance Resources

















-  F   
 G  H  I
-  D  G  E  F  
B 
- A  E  G  H  B  C  
C  B  A
- H  B  C  F  G



- H  B  E  C  G  F  D  A
-  I  J
- 

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