

To: Clients and Friends
From: Smith & Downey
Date: April 23, 2009
Re: Annual Clients and Friends Seminar

As previously announced, we'll be holding our next Clients and Friends Seminar at the BWI Marriott, on Tuesday May 12, 2009, from 8 a.m. to Noon.

As always, we'll cover current events in the health and welfare plan, retirement plan, executive compensation, and labor and employment law areas. The following are some topics we plan to discuss at the Seminar:

Health and Welfare Plans

1. ARRA's COBRA discount/subsidy rules
2. CHIPRA and its impact on health plan sponsors
3. New document and operational rules for Qualified Transportation Fringe Benefit Plans
4. A review of the Section 125 plan and self-funded health plan nondiscrimination rules
5. WRERA's new rules concerning non-dependents in HRAs
6. The EEOC's GINA regulations
7. The delay in MSP reporting for HRAs
8. HEART Act Issues
9. An update on employers' Medicare Part D obligations
10. ARRA's changes to the HIPAA privacy rules
11. Design/implementation/documentation issues for HRAs
12. Money-saving techniques for health and welfare plans - e.g., eligibility audits, case management, subrogation efforts, plan simplification, claims audits, vendor performance rewards/penalties, disability management, leave/absence management
13. Michelle's Law, and MD and CA insured plan "dependent definition" changes

14. Review of Wellness Regulations; tax treatment of wellness incentives
15. Non-FMLA leaves under health plans
16. Mental Health Parity Act expansion
17. Update on San Francisco mandate legislation
18. TPA claims accounts as ERISA "plan assets"
19. New electronic Form 5500 filing requirements for health and welfare (and retirement) plans

Qualified Retirement Plans

1. WRERA's new rules for qualified retirement plans
2. Update on IRS correction program
3. Update on DOL correction programs (delinquent filers and fiduciary violations)
4. Update on 403(b) plan document and operational rule issues
5. DOL guidance on provision of investment advice to participants
6. New HEART Act rules and related required plan amendments
7. 404(c) and QDIA review
8. Status of DOL fee disclosure rules
9. Administering loans and hardship withdrawals in a challenging economy
10. Recent PPA guidance
11. Review of salary reduction deposit rules
12. Plan loans and Reg Z and "Red Flag" rules
13. IRS final regs on 401(k)/403(b) automatic contribution arrangements
14. Alternatives for changing safe harbor 401(k) plans mid-year

Executive Compensation

1. Correcting 409A violations
2. 409A's W-2 reporting rules
3. Disclosures required on the newest Form 990
4. "Rabbi" trust tax filings and distribution mechanics
5. Recent IRS surveys of hospitals and colleges
6. Taxation of deferred comp paid to divorced spouses
7. Unreported taxable income as "excess benefits"

Labor and Employment Law

1. Employee Free Choice Act Update
2. Lilly Ledbetter Fair Pay Act
3. Genetic Information Nondiscrimination Act
4. FLSA Overtime Update
5. ADAAA Update
6. FMLA Update
7. Downsizing Issues

Please contact Jamie Siegman at 410-321-9000 or jsiegman@smithdowney.com to reserve a spot at the seminar.