



You are invited to attend the complimentary

Health Plan Claim Denials Update

Hosted on Zoom by the American Bar Association Real Property Probate and Trust Section
Employee Benefits and Executive Compensation Group

Friday, January 19, 2024

11:30 AM – 12:30 PM Central Time

About The Health Plan Claim Denials Update¹

Employee Retirement Income Security Act (“ERISA”)-covered group health and disability plan participants and beneficiaries increasingly successfully overcome health plan benefit denials and receive ERISA § 502(c) awards based on federal court’s rulings plan fiduciaries or administrators failed to fulfill the Employee Benefit Security Administration (“EBSA”) adverse benefit determination regulations.

During the “Health Plan Claims Denials Update, attorneys Cynthia Marcotte Stamer and Allison Moody will share an update on the precedent driving this emerging trend, the relationship between ERISA’s adverse benefit determination rules and the No Surprises Act surprise billing rules, and discuss implications and best practices for employer and other plan sponsors, health plan fiduciaries, administrators, and their advisors should consider to strengthen the defensibility of their plans’ adverse benefit determinations and mitigate risks in light of this trend to the American Bar Association Real Property Probate and Trust Section Employee Benefits and Executive Compensation Group monthly membership Zoom call on Friday, January 19, 2024.

Participation in this and other RPTe Section Employee Benefit and Other Compensation Group calls is complimentary. Members and other interested persons can join the call using the following Zoom credentials:

Join Zoom Meeting

<https://americanbar.zoom.us/j/91796395033?pwd=R1hEZlZCQjR4RitvODRIYVFCtmIwZz09>

Meeting ID: 917 9639 5033

Passcode: 071394

One tap mobile

+13126266799,,91796395033# US (Chicago)

About the Presenters

Allison Moody. Allison Moody is a highly experienced legal consultant, licensed to practice law, specializing in advising on complex health and welfare benefit laws. With a deep understanding of the legal and regulatory landscape, Allison provides expert guidance to employers, brokers, and members in various states, ensuring their compliance with ever-evolving requirements. Allison has built a reputation for helping organizations navigate the intricacies of employee benefits laws and delivering practical and effective solutions. She also negotiates contracts, provides legal review of proposed legislation, regulations, and bulletins, and assists with audits and investigations.

Allison previously served as Vice President and General Counsel of a third-party administrator. In her position there, she advised organizations on legal and business issues and finding ways to minimize risk. She also represented the company in various administrative and legal proceedings and hired and managed Outside Counsel in matters involving litigation or arbitration.

Allison has served in leadership roles in many benefits organizations over her career, including the Society of Professional Benefit Administrators (SPBA), Texas Professional Benefit Administrators (TPBA), RPTe Employee Benefits and Executive Compensation Committee, and the National Association of Health Insurance Professionals (NAHIP). She is also a member of the ABA Tort and Insurance Practice Section, where she serves on the Medicine and Law and Life, Health and Disability, and Cybersecurity Committees. In her spare time, she volunteers for Brother Bills Helping Hand and enjoys her French bulldogs.

Allison received her Juris Doctorate degree from Tulane Law School and graduated Magna Cum Laude in Communications/Political Science from Texas Tech.

Cynthia Marcotte Stamer. Cynthia Marcotte Stamer is a Fellow in the American College of Employee Benefits Counsel and Board Certified in Labor and Employment law by the Texas Board of Legal Specialization, recognized for her decades of prolific legal and operational work, legislative and regulatory advocacy, scholarship, and thought leadership on insured and self-insured managed care and other health care, disability and other employee benefit, insurance, health care and workforce programs, practices, and policies as a “Top Rated Lawyer,” and “LEGAL LEADER™” in Health Care Law and Labor and Employment Law; “Best Lawyer” in “Labor & Employment,” “Tax: ERISA & Employee Benefits,” “HealthCare” and “Business and Commercial Law.”

For 35-plus years, “Cindy” has guided and represented self-insured and insured health and managed care, disability, and other employee benefit plans; employers; plan sponsors; fiduciaries’ administrative services, technology, and other vendors; insurers; brokers and consultants; health care providers; governments; and others on the design, administration, and defense of claims and appeals and other plan provisions, practices, systems and technologies; the prevention, evaluation, mitigation, and defense of fiduciary, participant and beneficiary, health care provider, government and other claims, disputes, and other enforcement actions arising out of the operation of these programs; contracting, technology and product development; fiduciary responsibility, market conduct and other operating standards; health care fraud; privacy and data security; innovation and change management; government relations and investigations; and a diverse range of other employee benefits, insurance, employment, compensation, and health care operations, risk management, and compliance concerns.

Cindy also contributes her knowledge and leadership as the American Bar Association (“ABA”) RPTe Employee Benefits and Executive Compensation Group Chair and current Welfare Committee Co-Chair; current ABA Joint Committee on Employee Benefits (“JCEB”) HHS Agency Meeting Scribe and former JCEB Council Representative and Marketing Committee Chair; current ABA TIPS Section Medicine and Law Committee Chair, Employment Committee Diversity Vice Chair, and former Employee Benefits Committee Vice Chair; current ABA International Section International Life Sciences and Health Committee Chair and International Employment Committee Vice Chair; former ABA Health Law Section Managed Care & Insurance Group Chair; former SHRM National Consultant’s Board and Regional Chair; former board member, Programs Committee Chair and Treasurer of the Southwest Benefits Association; founding Board Member and Past President of the Alliance for Health Care Excellence and founder of its Health Care Heroes and Patient Empowerment Programs; past National Board Member and Dallas Chapter President of Web Network of Benefit Professionals; former Texas Association of Business BACPAC Chair, Board Member, Regional Chair, Dallas Chapter Chair and Health Care Task Force Leader; and in many other professional and civic leadership roles.

A continuous learner, prolific author, and popular public speaker, Cindy also has authored hundreds of highly regarded publications on employee benefits and other workforce, health care, managed care, privacy and data security, technology, and other related compliance, risk management, and public policy concerns. Her thought leadership on these and other concerns often is quoted in the professional and public media and sought out by legislative, regulatory, and industry leaders.

About The Employee Plans and Executive Compensation Group

The January 19, 2024 Zoom call is part of a monthly series of membership calls hosted over Zoom by the Employee Benefits and Executive Compensation Group as a free member benefit. The Employee Plans & Executive Compensation Group is comprised of 249 attorneys with an interest in or focus on employee benefits, ERISA and executive compensation issues. The Group includes six substantive committees: Fiduciary Responsibility, Administration, and Litigation; Welfare Benefit Plans; Plan Transactions and Terminations; Qualified Plans; Non-Qualified Deferred Compensation; and IRAs and Plan Distributions. Membership in the Group and the American Bar Association is open to attorney and other interested individuals. *For more information about the presentation, membership or other involvement with the Employee Benefits and Executive Compensation Group or other American Bar Association Sections, Groups and Committee, events and activities, see the [Employee Benefits and Executive Compensation Group Web Page](#) or contact the speakers or any other Group leader.*

¹ The purpose of this discussion is to enable individuals to share and exchange their personal views on topics and issues of importance to the legal profession. All comments that appear are solely those of the individual, and do not reflect ABA positions or policy. The ABA endorses no comments made herein.