Weekly Digest

• August 11, 2026 •

Employer Health Plan Design Under Fire: How "Financial Dominance" ERISA Claims Are Expanding in 2026

"Employer-sponsored group health plans are facing a growing wave of ERISA class action lawsuits, and the claims are getting bolder, including claims of 'financial dominance'. ... These new cases make clear that the plaintiffs' bar continues to view financial dominance claims as a growing area of opportunity, and employers need to pay attention." **Full Article**

Thompson Hine, LLP

OCR Announces Notable HIPAA Enforcement Actions Against Self-Funded Group Health Plans Following Ransomware Breaches

"The Plan agreed to pay $245,000 and implement a monitored two-year Corrective Action Plan (CAP). The CAP requires the Plan to come into compliance with HIPAA by undertaking these requirements: conduct a comprehensive risk analysis for ePHI, develop and implement a risk management plan, update policies and procedures, and provide workforce training. The CAP requires the OCR's approval of the risk management plan and revised policies, and the Plan must submit periodic reports to OCR with documentation proving and attesting to compliance with HIPAA." **Full Article**

Troutman Pepper Locke

In This Digest

DOL Proposes Rule to Modernize ERISA Health Plan Disclosure Delivery

"In a welcome move, the U.S. Department of Labor (DOL) issued a proposed rule that would bring health plans in line with the already applicable to retirement plans, creating a safe harbor to allow health plans to provide required disclosures electronically...." **Full Article**

JD Supra, LLC

The Menopause Market Is Becoming Mainstream: What Employers, Providers, and Investors Need to Know Now

"Once overlooked and under-researched, menopause has become one of the fastest -moving frontiers in health law and investment." **Full Article**

JD Supra, LLC

Legal Challenges, Federal Reforms Affecting State PBM Laws Increase Plan Sponsor Responsibilities

"While multiple states have passed laws that regulate and reform policies of pharmacy benefit managers (PBMs), these laws have faced a recent deluge of legal challenges in federal court by industry groups and some plan sponsors. At the same time, Congress has imposed new transparency requirements that affect the compliance duties of sponsors of Employee Retirement Income Security Act (ERISA)-covered group health plans. These developments have led to differing rules for plan sponsors to follow depending on the jurisdiction and the type of law involved." **Full Article**

Hall Benefits Law, LLC

Sunlight Will Soon Shine on Group Health Plan Fees

"The Consolidated Appropriations Act (CAA) of 2021 expanded service provider fee disclosure requirements already in place for retirement plans to apply to group health plans." **Full Article**

JD Supra, LLC