

Weekly Digest

• March 10, 2026 •

EMPLOYEE
BENEFITS

PBM Reforms May Open a New Era for Group Health Plan Sponsors

"PBMs must now adhere to the same compensation disclosure rules applicable to other ERISA plan service providers and advisors, such as investment advisors, recordkeepers or brokers, and other entities receiving 'indirect compensation' (e.g., accounting, auditing, actuarial, banking, and consulting service providers), which, in turn, will enable employers sponsoring group health plans to better evaluate and negotiate PBM compensation under their contracts." [Full Article](#)

Ogletree Deakins



8 Key HIPAA Compliance Items for Businesses with Self-Insured Health Plans

"[1] Determine if your organization receives, maintains, or transmits PHI [2] Don't rely solely on TPA's policies [3] Designate a HIPAA Compliance Officer [4] Implement policies on uses and disclosures of PHI [5] Maintain a Notice of Privacy Practices (NPP) for your plan participants [6] Comply with the Security Rule and stay tuned for updates [7] Implement a business associate agreement (BAA) when required [8] Follow breach notification rules [9] Ensure ERISA fiduciary and cybersecurity oversight." [Full Article](#)

Fisher & Phillips, LLP

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Up in Smoke? Third Tobacco Premium Surcharge Case Dismissed

"The court expressed doubt that ERISA's requirement that participants who complete a wellness program's alternative standard receive the 'full reward' requires reimbursement of all premium surcharges paid for the full plan year, as the plaintiff claimed. In any event, the court held that the defendants' program met this standard because it allowed participants to avoid the entire premium surcharge amount for the full plan year by completing the tobacco cessation course between May 1 and November 30 of the prior plan year." [Full Article](#)

Groom Law Group



Direct-to-Consumer Models for Prescription Drug Coverage: A New Trend in Coverage for GLP-1s

"There is growing buzz around a new approach to GLP-1 coverage: removing GLP-1 coverage from the traditional PBM reimbursement model and instead reimbursing employees for GLP-1s through a direct-to-consumer or 'carve-out' model tied to a utilization management program. The concept works because GLP-1s are one of the few prescription drug categories with a robust direct-to-consumer market. It is unclear, however, whether increased contractual and operational costs will offset the savings from lower direct-to-consumer prices." [Full Article](#)

Verrill Dana, LLP

EBSA Updates National Enforcement Priorities for FY 2026

"According to the DOL, this is the most significant revision to EBSA's enforcement framework in recent years. The goal is to make investigations more efficient and responsive and to prioritize serious misconduct and abusive practices." [Full Article](#)

Foster Swift Collins & Smith, PC



Where to Start with Trump Accounts

"One of the requirements under Section 128 of the Code for a valid employer-provided Trump account contribution is that the employer adopt a 'separate written plan.' Although additional guidance may be needed before finalizing a separate written plan document, in light of commentary in the Notice concerning the anticipated requirements of a Trump account contribution program, Section 129 dependent care assistance program plan documents may provide a good starting point for plan sponsors that are considering offering employee pre-tax contributions to Trump accounts." [Full Article](#)

Morgan, Lewis & Bockius, LLP