Weekly Digest

October 21, 2026



Employer Compliance Guide to 2027 Open Enrollment for Health and Welfare Benefits

"It's that time of year again – employers are gearing up for the administrative marathon known as open enrollment season, when employees revisit their benefit plan choices for the upcoming plan year." **Full Article**

Fisher Phillips



The Price is Right? Final Transparency Rules Require More Accurate and Reliable Data

"On October 6, 2026, the Departments of Labor, HHS, and the Treasury (collectively, the Departments) published another Transparency in Coverage Final Rule ("final rule"). The final rule implements Executive Order 14221 and largely follows the December 2025 proposal, with notable changes intended to reduce burden. It revises the Transparency in Coverage 2020 Final Rule ("2020 final rule"), including requirements related to the machine-readable files ("MRFs") that group health plans and issuers have posted since 2022." **Full Article**

Groom Law Group

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Mental Health Parity Under the Trump Administration: Where DOL Is Headed and What Congress Is Doing About It

"On September 8, 2026, the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) issued Field Assistance Bulletin No. 2026-03 (Bulletin 2026-03), narrowing near-term enforcement of the Mental Health Parity and Addiction Equity Act (MHPAEA) to three priority areas and confirming nonenforcement of the 2024 Final Rule's newer provisions pending litigation. The administration has also stopped defending that rule in court and promised a substantially revised proposal by December 31, 2026. Congress is moving the other way: bipartisan legislation to expand DOL's enforcement authority is pending in the House, and the Senate HELP Committee is poised to scrutinize any administration." **Full Article**

Mintz



Proposed New "Notice-and-Access" Safe Harbor for Electronic Group Health Plan Disclosures

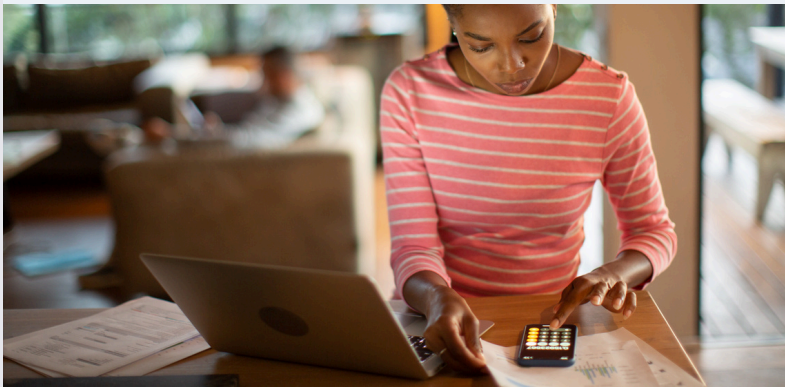
"It's estimated the proposed rules will save the nearly 2.8 million affected group health plans close to $402 million each year. Once finalized, the new safe harbor will be effective on the first January 1 following the publication of the final rule. It will likely take some time for EBSA to consider the numerous comments it received and finalize the rules, but here are some things group health plan administrators should know and consider now. Administrators of group health plans subject to ERISA are required to furnish various types of documents ("covered documents") to plan participants and their beneficiaries using a delivery method reasonably calculated to ensure the information is actually received." **Full Article**

Boutwell Fay

Wellness Indemnity Programs: Why the Tax Savings Don't Add Up

"Fall is a common time for employers to consider new benefits for the upcoming year. During discussions with benefit providers and consultants, employers may be pitched a "wellness indemnity program" for employees. These wellness indemnity programs promise significant tax savings that often sound too good to resist. Unfortunately, these programs usually do not provide the tax treatment that promoters promise, and the IRS has repeatedly made its position clear." **Full Article**

Warner Norcross + Judd



Proposed Regulations Offer Clarity on Dependent Care Assistance Program Nondiscrimination Rules

"Trump Accounts, a new tax-advantaged individual retirement account (IRA) intended for the benefit of minor children, were established under Internal Revenue Code (Code) Section 530A as part of the One Big Beautiful Bill (OB3) Act of 2025. These new accounts may be established for the benefit of children under age 18 with a valid social security number, and contributions can begin as early as July 4, 2026." **Full Article**

Boutwell Fay

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