

Administrator

Important news and updates from your benefits professionals

Vol. 2024, Iss. 02

Trends In Today's World

Trusting Nurses

According to Gallup, nursing remains America's most trusted profession with 78% of U.S. adults rating their trust in nurses as high or very high. While this percentage has fallen since 2020, Gallup added that nursing has maintained its number one ranking for 22 consecutive years.

Leave Programs Expand

Results released recently by consultant WTW showed that a large majority of employers surveyed last Fall plan to expand their paid leave programs in the next two years. Paid parental leave was their biggest concern along with expanded paid leave for bereavement and caregiving. While increased state requirements were cited by many employers, a growing need to retain and attract top talent was the top concern identified by employers.

Epi-Pens Take Flight

While the list of items required in airline emergency medical kits hasn't changed in nearly 20 years, a movement is underway to add autoinjectors of epinephrine to respond to life-threatening allergic reactions including anaphylaxis. Some airlines carry vials of epinephrine but

Meeting the Needs of Working Parents

With industry analysts estimating that childcare payments have increased by more than 30% since 2019, it's no wonder that fewer than a third of U.S. households can afford a nanny or daycare center. Compound these conditions with a growing need for adult caregivers and companies bringing employees back into the office and it's easy to see why many working parents are either leaving the workforce or searching for a position with more flexibility. To address these challenges and stabilize their workforce, more employers are looking for creative ways to help.

Every Organization is Unique

Surveying your population and reviewing your findings will shed light on the challenges employees are facing. Is the biggest need childcare or are a significant number of workers serving as caregivers for a parent or loved one? Is there a lack of daycare facilities or caregivers in your community or is cost the greatest obstacle? Asking these questions will help you determine if your current benefits include enough offerings to help working parents.

Be Part of the Solution

While establishing on-location childcare centers or preferred arrangements with local vendors may

only be viable for very large employers, flexible work schedules and more robust PTO can help foster a more supportive work environment. Maybe there's also room in your budget for a small stipend that can be made available for part of the year or when someone is in a temporary bind.



Dependent Care Flexible Spending Accounts (FSA) are a valuable part of many benefit plans. Even though the \$10,500 annual limit on pre-tax contributions available during the pandemic has gone back to \$5,000 for joint filers, these accounts enable employees to save by avoiding income and payroll taxes on funds used to pay for dependent care expenses.

The bottom line is that people can only come to work when their children and loved ones are cared for safely. While the resources needed for a support system will always be limited, communication is a tool every employer can utilize. Whether you launch a discussion group for parents or add a digital bulletin board for caregivers to your company intranet, bringing awareness will let everyone know that what's important to them is also important to their organization. And who knows? Giving working parents an opportunity to share their concerns just may generate an idea that can benefit everyone.



Redefining Worker Classification

With about two months to go before the Biden administration's new worker classification rule became effective, the U.S. Department of Labor published final rules for how employers should determine if a worker is an employee or an independent contractor.

Under the new rule, which became effective on March 11th, the DOL is returning to an approach that was previously part of the economic reality test used to determine if workers are economically dependent on the employer or in business for themselves. In contrast to the now rescinded Independent Contractor Status Under the Fair Labor Standard Act rule issued in 2021, the new test examines six factors, including...

- Opportunity for profit or loss depending on managerial skill
- Investments by the worker and the potential employer
- Degree of permanence of the work relationship
- Nature and degree of control
- Extent to which the work performed is an integral part of the potential employer's business
- Skill and initiative

Generally, attorneys have emphasized a few practical factors to help employers determine an appropriate classification. For example, the more control an employer exercises over an individual, the less likely that worker is an independent contractor. An independent contractor should be able to set their own rate and schedule and contribute to the business for a set amount of time while having the freedom to work with other businesses.

Given the "gray area" present in the test factors, legal experts expect lawsuits challenging the new rule. Regardless, failing to meet requirements of the Fair Labor Standards Act can be very costly. Employers should take the steps necessary to be sure they are classifying and compensating workers correctly.



A Refresher on Separation Requirements

As an employer, you must be familiar with separation laws, both federal and state. As of 2023, 19 states have specific employment separation requirements that employers must follow. Some require that the employer complete a separation form for the departing employee while others require that employers inform workers of their right to unemployment coverage and how to access a state application form.

State Requirements

Generally, state-required separation notices are legal forms stating the end of a working relationship between an employer and an employee. While the content of the forms vary by state, they are usually intended to inform employees who have become unemployed through no fault of their own about how to access financial assistance through the state's unemployment insurance program. Rules governing separation notices and access to unemployment insurance vary by state.

Federal Requirements

Currently, there are only two Federal separation notice requirements that employers must comply with. The first is the WARN Act, which applies to plant closings or mass layoffs. When either of these events occur, employers must notify workers 60 days in advance of the separation. The second requirement involves the Consolidated Omnibus Budget Reconciliation Act of 1986 or COBRA, which applies to employer sponsored group health plans. The DOL requires that employers with 20 or more employees who worked more than half of the business days in the previous calendar year give terminated employees a COBRA election notice no later than 14 days from the last day of employment.

Details on specific State separation notice requirements and the steps involved in filing a claim for unemployment insurance are available on the US Department of Labor website.

Does Anyone Know What Healthcare Costs?

According to a recent report based on a survey of more than 5,000 Gallup Panel respondents, fewer than 20 percent of adults in the U.S. know the cost of healthcare services before receiving them. Due to diversity in age, race, ethnicity, education, geography and insured status, Gallup describes the panel as being representative of the entire U.S. adult population.

We've talked about the need to make plan participants informed healthcare consumers since our national debt was well under a trillion dollars. And after adapting to Pre-Certification, Utilization Management, HMOs, PPOs and too many payer-related acronyms to count, healthcare costs are still rising and a mystery to too many.

Making Consumers More Aware

As TPAs dedicated to putting our client's needs first, we're doing more than ever to make healthcare cost transparency a reality. Self-funded plan designs and Reference Based Pricing are lowering costs and helping employers and members use health benefits to their advantage. And as digital tools become more accessible and easier to use, individuals are becoming more empowered and better informed about out-of-pocket costs, how to choose high-quality, high-value providers and most importantly, their own well-being.

FDA Allows Drug Importing

As part of the Inflation Reduction Act, the federal government now has the authority to negotiate prices of certain drugs. Under the new law that took effect on January 1, 2024, the FDA will allow Florida to become the first state to import drugs from Canada. Florida will have to submit quarterly reports to the FDA detailing cost savings and steps they have taken to ensure safety. The FDA will have to approve the authenticity and safety of any drugs before any shipments begin.

To protect consumers and regulate PBMs, Florida has enacted a new Prescription Drug Reform Act barring employers that cover Florida employees under a prescription drug plan from imposing mandatory mail-order requirements. The law places several other strict restrictions on PBMs to monitor licensing, increase cost transparency and reduce copayments and deductibles for plan participants. Several other states have filed requests to participate in the program which is part of Washington's pledge to lower the cost of prescription drugs for Americans.

The Inflation Reduction Act also gave the federal government legal authority to negotiate prices of certain costly drugs and cap yearly out-of-pocket costs for Medicare Part D drugs at \$3,300.00. Drug companies have opposed the ruling, saying it will lower profits and reduce their ability to invest in research and development. If the government is allowed to proceed with negotiations, CMS will publish updated pricing for the 10 drugs included in their first round of negotiations by September 1, 2024.



Accessing Health Claims Data

Even though the Consolidated Appropriations Act of 2021 has been in effect for a few years, many employer-sponsored health plans still find it very difficult to obtain health claims data. The Act required health plans and insurance companies to end the practice of including Gag clauses in their contracts prohibiting employers from seeing where their health plan dollars were going. While the vast majority of carriers and health plans have eliminated these clauses, some are still reluctant to share claims data.

Some employers have filed lawsuits against their health insurance administrators for failing to provide claims data. Complaints have intensified to a level that has caused the departments of Health and Human Services, Labor and the Treasury to open investigations. With an increasing number of health plans using Reference Based Pricing and/or direct contracting, employers simply cannot exercise control over healthcare spending without being able to review claims data.

Are You Part of the 5-Day Club?

With the Wall Street Journal reporting that 82 percent of Fortune 500 companies offer remote work opportunities, it is clear that the number of U.S. companies requiring a full return to in-person work is shrinking. At the beginning of 2023, just under half of U.S. companies required full-time attendance in the office. Software firm Scoop Technologies notes that by the end of 2023, this percentage had dropped to 38 percent.

The Meaning of Employee Engagement

Employee engagement can be defined in many ways but in general terms, it refers to the quality of the relationship between management and workforce. Poor employee engagement is often characterized by lower productivity but there are other symptoms that are equally difficult to cure. These include a bad reputation in the community, frequent employee turnover and a toxic work environment that breeds employee dissatisfaction, making it very difficult for people to work without conflict.

When a vast majority of employees are actively engaged in their work, people enjoy their work and are willing to go above and beyond for the good of the organization. Because they feel valued and a part of the team, they are comfortable communicating and interacting with their managers and co-workers. And nothing does more to boost employee engagement than communicating openly with your co-workers.

Did You Know? New Ideas for Healthy Consumers

Too Much Food Thrown Away

A nonprofit dedicated to reducing food waste and the Wall Street Journal estimate that Americans tossed out \$252 billion in food last year or about 20% of the average household's food spend. This translated to about \$150 per month for the average household. To cut down on waste, dietitians and other advisors offer a few suggestions.

- *To discover what you have on hand, check your refrigerator, freezer and pantry before heading to the grocery store.*
- *Using a paper shopping list rather than digital will require more thought and may help you*

avoid impulse buys or sale items you don't eat regularly.

- *Even though writing down the meals you plan to make during the coming week takes time, it will help you budget better and eat healthier.*
- *Online tools like SavetheFood.com or the USDA Foodkeeper app will help reduce waste by learning to store food properly.*

While clipping coupons is a common practice in many households, it's clear that the easiest way to spend less on food is to reduce the amount of food we end up throwing away.

Losing More than Weight



As weight-loss medications like Ozempic and Wegovy become more and more popular, speculation about possible long-term side effects is growing. One drawback that often occurs with weight loss, regardless of what drives it, is a loss of muscle mass. With half of our population potentially obese, it's no surprise that pharmaceutical companies are searching for ways to help patients avoid muscle loss when taking GLP-1 drugs.

Eli Lilly is just one of the pharmaceutical giants making acquisitions and investments intended to identify medications that when combined with weight loss drugs, will help people lose weight without sacrificing muscle mass. Investment analysts focused on healthcare expect this trend to continue.

How Much Caffeine is Too Much?



Caffeine is great for a quick boost but too much can be a problem, especially as it relates to our sleep. The federal government recommends consuming

no more than 400 milligrams of caffeine daily, which equates to about four 8-ounce cups of coffee. While everyone is different, the effects of caffeine typically take hold about 5 minutes after consumption and increase over time, becoming optimal within 15 and 120 minutes.

Physicians and nutritionists say the best source of caffeine is unsweetened coffee or tea. While the caffeine content in these beverages will vary, the FDA requires that soda contain no more than 71 milligrams per 12 ounces. Experts are quick to caution that very popular energy drinks not only contain very high levels of caffeine but sugar as well.

Note: This newsletter is not intended as a substitute for personal medical or employee benefits advice. Please consult your physician before making decisions that may impact your personal health. Talk to your benefits administrator before implementing strategies that may impact your organization's employee benefit objectives.

Trends continued

without syringes and the medical expertise to dose the medication appropriately, these are of little help. While the FAA is reviewing requirements, some airlines have begun adding EpiPens to their fleets along with Naloxone sprays to treat opioid overdoses.

Staying for Benefits

In a survey of 1,000+ full time employees and 100 self-employed individuals, BuzzRX found that one in six seriously dislike their job but stay for employer-sponsored health benefits. 3 in 10 self-employed respondents plan to seek employment in order to access

benefits. Sadly, many Gen Zers worry about losing access to prescribed psychiatric medication and other mental health services.

Reboarding Parents

Companies are reboarding new parents as they transition back to work after maternity leave. Many programs begin with the employee writing an overview of their expectations upon their return to work. Weekly meetings or check-in conversations with managers and co-workers help ease the transition throughout an adjustment period, which often lasts several months.

Anything But Work

Coffee breaks have been around since the early 1900's but many businesses in Sweden and other European countries believe work life should revolve around "fika" (pronounced fee-kah), a once or twice-daily routine during which all workers shut down their phones and computers simultaneously. Coffee is often enhanced with baked goods and conversation can be about anything but work. Some believe this deliberate pause for social interaction may be just what American businesses need to strengthen bonds among co-workers and boost engagement.

Remotely Happy

According to career adviser Resume-Builder, more than half of fully in-office workers will seek a new position in the next year, compared to about 40% of hybrid workers and a third of those working remotely. LinkedIn says 45% of employees would take a 10% cut in pay in exchange for greater work flexibility. Experts conclude that winning in tomorrow's recruitment game will require a willingness to listen to employee needs and acknowledge that remote and in-office environments can succeed.

On the Road with 90 Degree Benefits

2024 NABIP Texas Conference

90 Degree Benefits is a proud sponsor of the NABIP Texas Conference this year!

Irving, TX, **April 15–16**

2024 BenefitsPRO Broker Expo

Booth #218

Aurora, CO, **April 29–May 1**

2024 NABIP Annual Convention

Sponsor & Exhibitor

Chicago, IL, **June 22–25**

2024 SHRM Annual Conference & Expo

Booth #508

Chicago, IL, **June 23–26**

If you plan to attend any of these conferences, please say HELLO!



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Let's Talk