

**HEALTH BENEFIT PLAN COMPLIANCE: OVERVIEW & TAX CONSIDERATIONS**  
**UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW**  
**SPRING 2026 SYLLABUS – LAW 7931 – 1 CREDIT**

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**Office hours:** 1 hour before class starts on Wednesday and Thursday via Zoom

**MEETING TIME:** Meeting Time: Monday-Thursday from 9am-12pm and Friday from 9am-11am

**LOCATION:** Virtual

**COURSE DESCRIPTION AND OBJECTIVES:**

This course will provide an overview of the federal laws that impact the administration, design, and taxation of employee health benefit plans. The course is designed for LL.M. students and JD students who have taken income tax. Students will learn employee benefit plan compliance skills through real world examples and publicly-available plan documents from large, national employers. There is no textbook for this class. Required reading consists of (1) federal statutes, regulations, and other guidance; and (2) benefit plan documents.

This compressed course is one (1) credit. Students should spend at least two (2) full hours preparing for each hour of class meeting. This is the minimum preparation time needed for students to develop a workable knowledge and mastery of the course concepts and objectives.

**STUDENT LEARNING OUTCOMES:**

Upon the successful completion of this course, students should be able to:

- navigate the network of federal laws that apply to employer-sponsored health plans;
- frame and present their analysis in the same form as compliance attorneys for employers;
- understand the tax and financial implications associated with offering employee medical coverage; and
- apply current laws to new and evolving topics in health care.

**REQUIRED READING MATERIALS:**

Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

**COURSE EXPECTATIONS AND GRADING EVALUATION:**

Students will be evaluated based upon:

25 percent: Participation

75 percent: Final Exam

### **CLASS ATTENDANCE POLICY:**

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. **Because this is a compressed course, no unexcused absences are permitted; your participation grade will be reduced by 5 percentage points per unexcused hour you are absent from class.** Excessive unexcused absences may result in students being prohibited from further attendance and in a failing grade. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found [here](#).

### **UF ACADEMIC POLICIES AND RESOURCES:**

Other information about UF academic policies and resources can be found at [this link](#).

### **COMPLIANCE WITH UF HONOR CODE:**

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

### **INFORMATION ON UF LAW GRADING POLICIES:**

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent	Letter Grade	Point Equivalent
A (Excellent)	4.0	C (Satisfactory)	2.0
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D (Poor)	1.0
B-	2.67	D-	0.67
C+	2.33	E (Failure)	0.0

The law school grading policy is available [here](#).

### **OBSERVANCE OF RELIGIOUS HOLIDAYS:**

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

### **EXAM DELAYS AND ACCOMMODATIONS:**

The law school policy on exam delays and accommodations can be found [here](#).

### **STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which

must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

### **STUDENT COURSE EVALUATIONS**

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

### **RECORDINGS OF CLASS**

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

**ABA OUT-OF-CLASS HOURS REQUIREMENTS:** ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class.

### **COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS**

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change.

#### **Day 1: Overview**

- Overview of U.S. employer-sponsored health insurance
  - Background re: why medical insurance is provided through employers in the US
  - Fully-insured vs. self-funded
  - Who are the players? Insurers, claims administrators, consultants, etc.
- Introduction to the map of component federal laws governing an employer-sponsored medical plan

- ERISA
- IRC
- HIPAA (Privacy)
- COBRA
- ACA
- Other federal laws (ADA, HIPAA nondiscrimination, ADEA, Medicare)
- Reading:
  - pp. 26-30: <https://www.aging.senate.gov/imo/media/doc/reports/rpt884.pdf>
  - <https://www.kff.org/health-costs/press-release/benchmark-survey-annual-family-premiums-for-employer-coverage-rise-7-to-nearly-24000-in-2023/>
  - “Divergent Path of the United States” section:  
[https://www.ncbi.nlm.nih.gov/books/NBK235989/#\\_ddd00062](https://www.ncbi.nlm.nih.gov/books/NBK235989/#_ddd00062)

### Day 2: ERISA

- Why do we need ERISA?
- What plans are subject to ERISA?
- ERISA Preemption
  - State insurance law
  - Hawaii Pre-Paid Health Care Act
- Documentation obligations
  - Plan documents
  - SPDs / SMMs
- Reporting obligations
  - Form 5500
- Fiduciary Obligations
  - Duty of prudence
  - Duty to monitor
  - Duty to adhere to plan documents
- Why do our clients need to care?
- Reading:
  - <https://www.dol.gov/sites/dolgov/files/EBSA/about-ebsa/our-activities/resource-center/publications/understanding-your-fiduciary-responsibilities-under-a-group-health-plan.pdf>
  - <https://www.dol.gov/sites/dolgov/files/EBSA/about-ebsa/our-activities/resource-center/publications/reporting-and-disclosure-guide-for-employee-benefit-plans.pdf>
  - <https://www.irs.gov/pub/irs-pdf/f5500.pdf>

### Day 3: Tax Code

- Constructive receipt doctrine; overview of why tax code rules are important for employer-sponsored coverage
- Section 105
  - 105(h) Nondiscrimination

- Section 125
- Account-based plans
  - Health flexible spending accounts
  - Dependent care flexible spending accounts
  - Health reimbursement arrangements
  - HSAs
- Deeper dive into HSAs
  - High-deductible health plans / disqualifying coverage
  - Contribution limits
- Puerto Rico
- Why do our clients need to care?
- Reading
  - IRC § 105
  - IRC § 125
  - IRC § 223
  - IRS Notice 2020-15

#### **Day 4: Affordable Care Act**

- Overview of health insurance prior to the ACA
- Employer Mandate
  - “Applicable Large Employers”
  - “Full-Time Employees”
  - “Affordable Coverage”
  - Calculation of Penalties
- Market Reforms
  - What is a “group health plan”
  - Annual/lifetime dollar limits
  - Preventive care
  - Impact on standalone benefits
- Why do our clients need to care?
- Reading
  - IRC §4980H
  - <https://www.irs.gov/affordable-care-act/employers/employer-shared-responsibility-provisions>
  - <https://www.irs.gov/affordable-care-act/employers/identifying-full-time-employees>
  - IRS Form 1094-C
  - IRS Form 1095-C
  - IRS Letter 226-J
  - Public Health Service Act § 2713

#### **Day 5: Other Laws & Application**

- COBRA
- HIPAA Privacy
- HIPAA Nondiscrimination
- Application to actual benefit plan issues
  - Severance benefits

- Fertility benefits
- Wellness programs
- Reading
  - ERISA § 702
  - DOL Model COBRA Election notice:  
<https://www.dol.gov/sites/dolgov/files/EBSA/laws-and-regulations/laws/cobra/model-election-notice.docx>
  - HHS Affinity Health Plan Settlement:  
<https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/enforcement/examples/affinity-agreement.pdf>
  - Selections from 2012 RAND Wellness Program Study:  
<https://www.dol.gov/sites/dolgov/files/EBSA/researchers/analysis/health-and-welfare/a-review-of-the-us-workplace-wellness-market.pdf>