

Inventing **THE FUTURE**



2011 NCCMP ANNUAL CONFERENCE

Co-sponsored by
The NCCMP Research and Education Corporation, Inc.

**September 26-28, 2011
Westin Diplomat Resort and Spa Hollywood, Florida**

FROM THE CHAIR



Inventing the Future

Welcome to the 2011 Annual Conference of the NCCMP! Our theme “Inventing the Future” conveys the recognition that we must take hold of our own destiny.

This year – 2011 – is one we will never forget. Back-to-back natural disasters in Washington were only part of the reason. (For those of you who are too immersed in Beltway politics I was referring to the recent earthquake and hurricane, not the deficit ceiling debacle and credit downgrade).

Historians are likely to record the real disasters of 2011 as beginning with the onslaught of attacks on public sector workers from the Midwest to the Northeast regarding the rights of labor and management to bargain over wages, hours and terms and conditions of employment that have been the law of the land for private sector workers since the passage of the Wagner Act in 1935.

Actions by conservative governors and state legislatures to undermine if not outright outlaw the economic protections for working Americans embodied in our pension and health benefit programs - programs that are the product of the collective bargaining process - marked the beginning of a new era of overt hostility against unions, the working class people who comprise their memberships and even against the employers who have the nerve to employ union members.

It is clear that this mindset is not limited to the public sector. The proposals by the accounting industry last summer attempted to exploit the current financial plight of pension funding – a situation that was the direct result of the Wall Street collapse – to try to create insurmountable obstacles to our contributing employers’ ability to obtain credit. As the economy continues to lag and it becomes increasingly difficult for our contributing employers to compete with those who have no benefit costs because they provide no benefits, the need to “Invent our Future” through innovative thinking and cooperative problem solving becomes increasingly important if we are to prevent the current situation from becoming the next disaster.

Cordially,

Mark

Mark H. Ayers

Chairman

Boards of Directors

NCCMP

NCCMP Research and Education Corporation, Inc.

WELCOME TO YOUR 2011 ANNUAL CONFERENCE

Necessity is a Mother...



Those of you who have attended this Conference in recent years are well acquainted with the challenges multiemployer plans have faced. While we certainly have had some recent successes related to accounting standards, pension funding relief, and Affordable Care Act (ACA) regulations, our challenges remain formidable. Difficult economic conditions threaten the viability our pension plans, unequal tax treatment under the ACA threatens our healthcare plans, and right wing politicians and media outlets seek to exploit both of these factors as a way to eliminate collectively bargained benefits altogether.

We all know the old cliché about necessity being the mother of invention, but in this case it happens to be true. The rules that govern the funding of our pension plans sunset in 2014. Congress has already begun discussions about what a replacement bill may include. It is now time to rethink how we provide retirement benefits to plan participants. We need retirement plans that provide real security to employees without passing unmanageable risks to the sponsoring employers. During this conference you will hear about the commission that the NCCMP has organized to study alternative retirement security models, as well as new ideas and strategies for pension plan investing and ways for pension plans to better manage investment risk.

The Affordable Care Act also changes the landscape in many ways that are proving to be quite challenging, not just to the status quo, but for some of the most vulnerable participants in low-income or part-time occupations, to the very continuation of the plans that have proven so valuable to their economic security for more than sixty years. Yet the ambiguities of the statutory language as to how the Act's provisions will interact with existing laws, benefit plans, and regulatory precedents with respect to multiemployer plans provides opportunities for insightful regulators and a willing Administration to ensure that these plans survive so that those "with health plans they like can keep them" (to paraphrase a famous promotional quote). During this conference you will hear about the efforts of the multiemployer community to work with the federal agencies as they strive to develop regulations that implement the intent of the Act without the unintended consequence of damaging multiemployer plans that have responsibly and reliably provided healthcare benefits for decades.

We have the opportunity to reinvent the future and we must seize it! The events of the next two years will go a long way towards determining if our plans prosper or suffer in the coming decades. It is vitally important that all multiemployer plan stakeholders stand shoulder to shoulder to develop bold new solutions that will work across diverse industries for both employees and employers alike.

Sincerely,

Randy

Randy G. DeFrehn
Executive Director

SATURDAY, SEPTEMBER 24, 2011

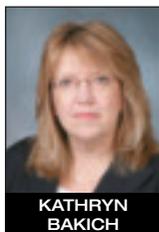
12:30 – 3:00 pm

**Conference Registration —
Convention Center
Grand Registration (3rd Floor)**

1:00 – 4:00 pm

**Pre-Conference Seminar —
Conference Room 307**

Proposed Regulatory and Economic Considerations of the ACA



Panelists:

Kathryn Bakich

Senior Vice President and
National Health Care
Compliance Practice Leader
Segal

Edward A. Kaplan

Senior Vice President and
National Health Practice Leader
Segal

Thomas C. Nyhan

Executive Director
and General Counsel
Central States Health and Welfare
and Pension Funds
NCCMP Steering Committee

The dramatic restructuring of the health care industry, including the establishment in 2014 of state health insurance exchanges, will have far-reaching implications for multiemployer health plans, employers, and participants. The NCCMP has been exploring the potential impact of the exchanges, federal subsidies, the employer “free-rider” penalty, and the individual mandate to purchase insurance coverage on multiemployer plans and meeting with the Departments of Health & Human Services, Treasury, and Labor to discuss multiemployer community concerns.

Today’s session will explore the issues that will impact plans including: how exchanges will work, which employers could be subject to the free rider penalty, when would multiemployer plan participants and dependents be eligible to obtain a federal tax credit subsidy to purchase coverage in an exchange -- and whether and, if so, to what extent that will have an impact on the plan. The speakers will review existing regulatory guidance and identify areas where the agencies have not yet provided regulations.

Financial models of the impact of the federal tax credit subsidies and employer penalties on the cost of providing health benefits will be presented and an example of the potential for plans to pay the 40% excise tax beginning in 2018. Finally, strategies for trustees as they face the changes in 2014 will be reviewed.

SUNDAY, SEPTEMBER 25, 2011

9th Annual Charity Golf Outing Benefiting the Diabetes Research Institute

Diplomat Country Club

7:00 am	Registration and Continental Breakfast Diplomat Country Club
8:00 am	Shotgun Start
Immediately Following	Lunch and Awards
10:00am - 2:00 pm	Conference Registration – Grand Registration
6:30 pm - 9:30 pm	Welcoming Reception – South Palm Court “A NIGHT IN RIO” Suggested Attire – Dressy Casual Alternate Location in Case of Inclement Weather— Atlantic Ballroom



MONDAY, SEPTEMBER 26, 2011

7:00 am - 1:30 pm	Conference Registration – Grand Registration
7:00 am - 12:00 pm	Exhibit Hall – Grand Ballroom East
7:30 am - 8:30	Continental Breakfast – Grand Ballroom East
8:00 am - 12:30 pm	OPENING GENERAL SESSION – Grand Ballroom West



MARK H.
AYERS

Randy G. DeFrehn
Executive Director, NCCMP
CEO, NCCMP Research and Education
Corporation, Inc.

Mark H. Ayers
President, Building and Construction
Trades Department, AFL-CIO
Chairman, Boards of Directors
NCCMP
NCCMP Research and Education
Corporation, Inc.

**National Anthem
Pledge of Allegiance**

**Welcome and Introduction
of Special Guests**

**Chairman’s Address:
INVENTING THE FUTURE**

Multiemployer pension, health & welfare and apprenticeship plans, are at a crossroads. The rules governing the funding of multiemployer pension plans expire in 2014, creating an historic opportunity for us to rethink how these plans operate, and how they can best meet the needs of employers and employees today and in the future.

Similarly, the Affordable Care Act is silent with respect to how it applies to multiemployer plans in most respects, creating both risks and opportunities for our plans as regulatory agencies exercise broad discretion in deciding how to apply the provisions of the Act. For some plans, the decisions they make may be a matter of survival. For all plans the decisions will require fundamental rethinking of many things they have done since their inception.

As we move forward it is critical that we seize these unique opportunities to reinvent our plans to prepare for the future, to ensure that they continue to play their vital role in the financial security of millions of American workers.

MONDAY, SEPTEMBER 26, 2011

8:45 am – 9:30 am

Keynote Address— Grand Ballroom West



Keynote Speaker:

Phyllis C. Borzi

Assistant Secretary
Employee Benefit Security
Administration
U.S. Department of Labor

Introduction by:

Marc LeBlanc

Fund Administrator
and General Counsel
Sheet Metal Workers' National
Pension Fund
NCCMP Steering Committee

Keynote Address - Ensuring Employee Benefit Security in the Face of Public and Private Austerity

With public and private defined benefit plans under great strain due to the recession and ongoing economic slump and health plans facing the many unknowns of the ACA, we are pleased to welcome Phyllis C. Borzi, Assistant Secretary of Labor for the Employee Benefit Security Administration.

Assistant Secretary Borzi will discuss challenges to employee benefit security, the activities of the Department to respond to those challenges and the need for creative solutions to meet the future economic security needs of workers in the face of the overwhelming austerity measures being adopted at all levels of society.

9:30 am – 10:15 am

GENERAL SESSION — Grand Ballroom West



Moderator:

Randy G. DeFrehn

Executive Director
NCCMP

Pamela J. Perun, Ph.D., J.D.

Senior Policy Consultant
Initiative on Financial Security
Aspen Institute

David Blitzstein

Special Assistant for
Multiemployer Plans
UFCW International Union
NCCMP Steering Committee

Christopher Brockmeyer

Director of Employee Benefit
Funds

The Broadway League, Inc.
NCCMP Board of Directors

Patrick Finley

General President
Operative Plasterers and
Cement Masons International
Association

James Walker

Chief Executive Officer
Great Lakes Fabricators

The NCCMP Retirement Security Review Commission

Retirement security is a growing concern in the U.S. For most workers the foundation of that security is built upon their Social Security benefits accrued over a lifetime which continue to be under attack from federal budget hawks.

In 2014 the rules that govern the funding of multiemployer pension plans will expire. This expiration comes after a period of great financial challenge to both the employees who participate in multiemployer pension plans, and the employers who sponsor them.

Many employers are deeply concerned about the impact that multiemployer plan participation has on the competitiveness of their businesses, while employees worry that an increasing portion of their total compensation is going to fund current retiree liabilities while their own benefit accruals are very small.

The NCCMP has convened a commission to study the strengths and weaknesses of the current multiemployer pension system, and to make recommendations for changes that will meet the needs of both employers and employees.

This session will separate the facts from the myths about the future of the Social Security Trust and feature a conversation with select Commission members who will discuss its objectives, work plan and expected deliverables.

MONDAY, SEPTEMBER 26, 2011

10:15 am - 10:30 am

Break - Exhibit Hall — Grand Ballroom East

10:30 am -11:00 am

GENERAL SESSION — Grand Ballroom West



**JOHN
MCNERNEY**



**JOSH
SHAPIRO**

John McNerney
General Counsel and Executive
Director for Labor Relations
Mechanical Contractors
Association of America
NCCMP Board of Directors

Introduction by:

Josh Shapiro
Deputy Executive Director for
Research and Education
NCCMP
COO NCCMP Research and
Education Corporation, Inc.

**Update on FASB
Disclosure Requirements**

In the summer of 2010 the Financial Accounting Standards Board (FASB) issued an exposure draft of an accounting standard that would require a dramatic expansion of the information that companies participating in multiemployer plans would disclose in their financial statements. Many of these disclosures would have provided misleading information while placing unnecessary burdens on both the employers and the plans themselves.

FASB participated in numerous discussions with representatives of the multiemployer community, and recently decided to adopt a disclosure standard that will be far less burdensome, and will exclude the potentially misleading items. This session will review this process and discuss the elements of the final accounting standard.

11:00 am -11:45 am



**MICHAEL
LIKOSKY**



**STEVE
SLEIGH**

Panelists:

**Michael Likosky JD
DPhil (Oxford Law)**

Senior Fellow, NYU's IPK
Director, Center on Law & Public
Finance
P3 Expert, OECD and UNCTAD

Steve Sleigh

Fund Director
IAM National Pension Fund
NCCMP Steering Committee

Moderator:

**William T. Sweeney,
Jr.**

Administrator
Plumbers and Pipefitters
National Pension Fund
NCCMP Steering and Working
Committees

**Current Topics in Pension
Fund Investing - Job
Creating Investments**

The 2008 financial market collapse had a devastating impact on the condition of multiemployer pension plans. Despite robust market recovery, the recovery of plan funding levels from this crisis has been complicated by depressed employment levels in many plans of 15% or more below historical levels.

In this environment there is growing interest in investing pension plan assets in investments that will help create jobs for American workers. While this is not a new concept, the current economic environment, combined with the national need to improve our infrastructure, has made the idea of job creating investment vehicles through public / private partnerships particularly attractive to multiemployer plan sponsors.

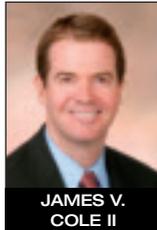
This session will explore examples of job creating investments including the concept of a National Infrastructure Bank and other innovative investment vehicles that can simultaneously achieve market returns and contribute to job creation.



**WILLIAM T.
SWEENEY, JR.**

MONDAY, SEPTEMBER 26, 2011

11:45 am - 12:30 pm



Panelists:

David Balto

Law Offices of David Balto

James V. Cole II

Partner
Groom Law Group, Chartered

Joyce A. Mader

Partner
O'Donoghue and O'Donoghue
NCCMP Working Committee

Moderator:

Serena Simons

Senior Vice President and
National Retirement Compliance
Practice Leader
Segal

Legal/Regulatory Update

This session will review several recent developments related to legal, regulatory, and judicial issues.

Topics include:

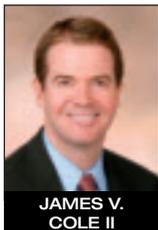
- The Supreme Court Decision in *CIGNA Corp v. Amara*
- The proposed merger between Medco and Express Scripts, Inc. (ESI)
- BNY Mellon Currency Exchange Litigation
- Recent increase in Department of Labor audits of apprenticeship and training funds

12:30 pm - 2:00 pm

Lunch

2:00 pm - 3:30 pm

Optional Concurrent Workshops



Conference Room 312-313

Presenters:

James V. Cole II

Partner
Groom Law Group, Chartered

Robert Archer

Managing Partner
Archer, Byington, Glennon &
Levine LLP

Moderator:

Joseph LoCicero

President and CEO
Segal
NCCMP Working Committee



DOL Audits of Apprenticeship and Training Funds

This workshop will expand on the general session by providing a detailed review of the recent Department of Labor audits of apprenticeship and training funds. The presentation will focus on the actual experiences of several funds, and attendees will be encouraged to share their own experiences with the group.



Conference Room 307

Presenters:

Gordon Latter, FSA

RBC Global Asset Management

James McKeogh

President
The McKeogh Company

Moderator:

Terry Moloznik

Executive Director
NEBF Investments
NCCMP Steering Committee

The Past and Future of Managing Pension Investment Risk

The decades since the passage of ERISA have seen a tremendous variety of economic conditions relating to equity market returns, interest rates, and inflation. At different times these conditions have both greatly benefitted and greatly harmed the financial strength of multiemployer pension plans. This workshop will explore what these events have taught us about managing the risk exposure of our pension funds, and how we can apply these lessons today and in the coming years.



MONDAY, SEPTEMBER 26, 2011

2:00 pm – 3:30 pm

Optional Concurrent Workshops



Conference Room 314

Presenters:

**Knut Ringen, Dr.
P.H., M.H.A.,
M.P.H.**

President and CEO
Stoneturn Consultants

**Kristen Kucera,
PhD, M.S.P.H.**

Assistant Professor
Duke University

Moderator:

Josh Shapiro

Deputy Executive Director for
Research and Education
NCCMP



The United Against Diabetes and Cardiovascular Disease Program (UAD/CVD)

The UAD / CVD program is dedicated to helping multiemployer health and welfare funds improve the prevention and management of diabetes and cardiovascular disease among their participants.

One of the tools in this effort is the detailed analysis of medical and pharmacy claims data to determine the effect of any particular intervention on the experience of a fund. This workshop will discuss the ways in which claims data can be used to evaluate the success or failure of diabetes and cardiovascular disease management initiatives such as communications campaigns, health care screenings, the use of incentives, or the use of centers of excellence.

For participating funds willing to undertake one or more aspects of the research program, UAD / CVD can perform a claims review at no cost to the fund.

This session will review the results of studies that UAD / CVD has performed, and will discuss how your fund can participate in, and benefit from, this research.

3:30 pm – 5:00 pm

Lawyers and Administrators Meeting



Conference Room 307

Facilitator:

Donald Capuano

Partner
O'Donoghue & O'Donoghue
NCCMP Counsel

Lawyers and Administrators Advisory Group Meeting

Just can't get enough of code sections and actuarial jargon? While the agenda is jammed with content, if your issue is not on it this is your chance to bring up the topic you were hoping to have discussed.

TUESDAY, SEPTEMBER 27, 2011

7:00 am – 12:00 noon	Conference Registration – Grand Registration
7:00 am – 12:00 pm	Exhibit Hall – Grand Ballroom East
7:00 am – 8:00 am	Continental Breakfast – Grand Ballroom East
8:00 am – 12:00 noon	GENERAL SESSION – Grand Ballroom West



Randy G. DeFrehn

Executive Director
NCCMP

Presenter:

Francesco Briganti

Director, Brussels Office
European Association of
Paritarian Institutions (AEIP)

Opening Remarks

A Shared Vision

The value of jointly-sponsored, employment based retirement and health benefit programs is recognized and shared by our counterparts in Europe and Canada, as is the importance of coordinating our efforts to leverage the breadth and depth of our collective expertise for the greater good of all of our plans and participants in dealing with public policy issues in this arena.

Our submission of joint statements on retirement policy with the European Commission; on the disclosure of pension liabilities and the effects of the elimination of smoothing with the International Accounting Standards Board; and on proposed tax withholding of foreign investment accounts with the U.S. Department of Treasury are just a few examples of areas in which these efforts have been focused over the past year.

In this session, Francesco Briganti, head of the Brussels Office of our European counterpart AEIP will review these activities and discuss the main topics currently under consideration in Europe, the value of our continued joint educational conferences, and the upcoming plans for the 2012 conference to be held next June in Paris.

8:40 am – 9:30 am – Challenges of the Affordable Care Act (ACA)



Presenter:

Earl Pomeroy

Counsel
Alston & Bird, LLP

Navigating the Regulatory System

The introduction of premium tax subsidies for employees under the ACA with household income under 400% of the Federal Poverty Level will further distort the economic advantages by those who have traditionally failed to provide adequate benefits. This problem is most acute in industries staffed by low income, part-time and entry level employees.

The ACA is largely silent with respect to multiemployer plans. This silence presents numerous ambiguities with respect to how the regulatory system will treat them. As our outside tax counsel, Alston & Bird has coordinated the technical response by the multiemployer community to this problem by providing regulators with legal and economic justification to extend access to the subsidies to our plans as well as other actions that could help level the playing field.

In this session Earl Pomeroy will review our progress in that effort and discuss steps that might be taken to increase our chances for success.

TUESDAY, SEPTEMBER 27, 2011

9:30 am - 9:45 am

Break - Exhibit Hall — Grand Ballroom East

9:45 am - 12:00 pm

GENERAL SESSION — Grand Ballroom West

9:45 am - 10:15 am

Economic Considerations



EDWARD A.
KAPLAN

Presenter:

Edward A. Kaplan

Senior Vice President and
National Health Practice
Leader
Segal

Economic Considerations

This session will review the highlights of the Saturday Seminar that examined the implications of the decisions facing bargainers with the impending implementation of the health exchanges including whether to drop coverage altogether.

It will also analyze the various factors that enter into this decision, such as the tax subsidies, coverage mandates, participant household incomes, plan out-of-pocket expenses, and income tax rates of covered employees.

10:15 am - 10:45 pm

Implementation Considerations



KATHRYN
BAKICH

Presenter:

Kathryn Bakich

Senior Vice President and
National Health Care
Compliance Practice Leader
Segal

Implementation Considerations

Proposed regulations under the ACA have proliferated over the past year. Few have had specific provisions that address the unique features of multiemployer plans. The NCCMP has responded to these proposals to raise the awareness of regulators regarding issues of concern to our plans. This session will review the highlights of those submissions and lay the groundwork for future comments. Areas to be discussed include: Patient Centered Outcomes and Comparative Effectiveness Research; waiting periods and the Free Rider penalties; new HIPAA disclosure rules; W-2 disclosure rules; Co-ops; Exchanges; Reinsurance, Risk Corridors and Risk Adjustment; and upcoming proposals regarding Preventive Services for Women; the Uniform Summary of Benefits and Coverage; Premium Assistance Tax Credits; and eligibility for Medicaid.

TUESDAY, SEPTEMBER 27, 2011

10:45 am - 12:00 pm

Containing Health Care Costs — Grand Ballroom West

Presenters:

Dr. John O'Brien

Field Director for
Partnership for Patients
Center for Medicare
and Medicaid Innovation
Department of Health
and Human Services



Mark Blum

Executive Director
America's Agenda



Arthur Drechsler

Executive Director
Equity-League Pension and
Health Trust

Introduction by:

Larry McNutt

Administrator
Carpenters Health & Security
Trust Fund of Western
Washington

Partnership for Patients: Better Care, Lower Costs

The objective of this new public-private partnership created under the ACA is to help improve the quality, safety, and affordability of health care for all Americans.

This session will examine how the Partnership will bring together leaders of major hospitals, employers, physicians, nurses, and patient advocates along with state and federal governments in a shared effort to make hospital care safer, more reliable, and less costly for all.

Alternative Care Delivery Approaches

In addition to changes in financing the health care system, changes must occur in the delivery system if costs are to be contained. Alternatives like the Patient Centered Medical Home, and integrated care systems present some of the best hopes for success in this area. This session will examine some of those alternatives and set the stage for a more in-depth examination in the afternoon workshop sessions.

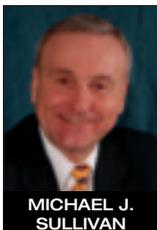
But Until Then...

While the changes in delivery systems promise hope for cost containment in the future, plans struggle with continued pressures from current increases.

This presentation will examine cost management methods that can be and are being employed until the systemic changes envisioned in the ACA can be implemented.

12:00 pm - 1:30 pm

Presentation of the 11th Annual John L. Lewis Award



Introduction by:

Randy G. DeFrehn

Presented by:

Joseph Sellers, Jr.

General Secretary-Treasurer
Sheet Metal Workers'
International Association

Presentation of the 11th Annual John L. Lewis Award to MICHAEL J. SULLIVAN

General President Emeritus
Sheet Metal Workers' International
Association

THE 11TH ANNUAL JOHN L. LEWIS AWARD

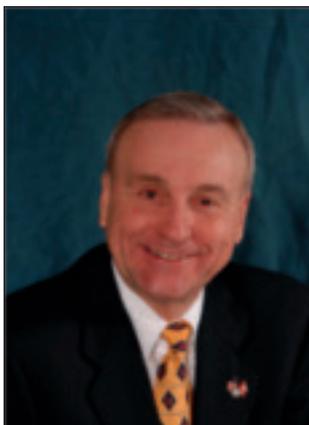


Created to recognize those whose actions emulate the vision of the man who created the largest and most influential multiemployer funds in history, it is our distinct honor and privilege to present this

11th Annual John L. Lewis Award

To

Michael J. Sullivan



In recognition of his

**Leadership in the Protection and
Advancement of Multiemployer
Benefit Plans**

On Behalf of a Grateful
Multiemployer Community

TUESDAY, SEPTEMBER 27, 2011

1:30 pm – 3:00 pm

Optional Concurrent Workshops



Grand Ballroom West

William Hunt

Revenue Agent
Employee Plans Division
Internal Revenue Service

Bruce Perlin

Manager
Multiemployer Plan
Program Division
Pension Benefit Guaranty
Corporation

Louis Campagna

Chief, Division of Fiduciary
Interpretations
Office of Regulations and
Interpretations
Employee Benefits Security
Administration
U.S. Department of Labor

Moderator:

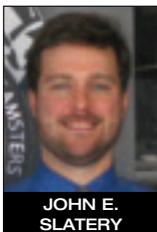
Joyce A. Mader

Partner
O'Donoghue & O'Donoghue

Ask the Regulators

A perennial favorite, this workshop provides an opportunity for you to participate in an open dialogue with representatives of the various regulatory agencies with jurisdiction over our plans regarding the most important issues you are facing.

You bring the issues. They bring the answers.



Meeting Room: 312/313

Panelists:

Aparna Abburi

Senior VP for Innovation
Centene Corporation

Dr. Jim Barr, MD

Medical Director
Optimus Health

Regina Reardon

President
Healthcare Strategies, Inc.

John E. Slatery

Director of Benefits
International Brotherhood of
Teamsters

Norm Wu

President
Qliance Medical Group

Moderator:

Mark Blum

Executive Director
America's Agenda

Cost Containment: Strategic Thinking

This workshop will examine the foundations of how we provide employer sponsored health care in America and will explore ideas for fundamental changes. Topics will include ways that funds are ceasing to be a purchaser of health care and instead becoming providers of health care, and ideas for migrating away from a reimbursement system that gives health care providers a financial incentive to increase the utilization of services.

Among the alternatives to be covered are:

- Patient Centered Medical Home transformation
- the "virtual PCMH" model
- scalable direct medical home clusters
- Taft-Hartley care delivery innovation pilots
- securing "team care" as the foundation of comprehensive care delivery networks



TUESDAY, SEPTEMBER 27, 2011

3:00 pm – 4:30 pm

Optional Concurrent Workshops



Meeting Room:
214

Presenters:

Brian Smith
Senior Vice President
Segal

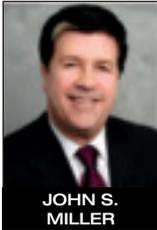
Daniel Aronowitz
President
Ullico Casualty Company

John S. “Rocky” Miller
Partner
Cox, Castle & Nicholson, LLP
NCCMP Board of Directors
NCCMP Research and
Education Corporation Board
of Directors

**Fiduciary Liability Coverage
after CIGNA v. Amara:
New Fiduciary Liabilities**

In *CIGNA v. Amara*, the Supreme Court changed the rules for lawsuits against ERISA plans over lost benefits. Early reaction from the legal community indicates that there are many questions about how the Court’s discussion of alternative approaches and remedies will be interpreted.

One thing on which there appears to be general agreement, however, is that in the near term there will be more lawsuits against plan fiduciaries for lost benefit claims, and that plaintiffs in many of those lawsuits will be seeking the money remedy of surcharge. As a result, an important question for trustees right now is what does this mean for your fiduciary liability coverage?



Meeting Room:
312/313

Presenter:

Arthur Drechsler
Executive Director
Equity-League Pension and
Health Trust

Moderator:

David Brenner
Senior Vice President and
Consultant
Segal

**Cost Containment
Strategies:
Tactical Innovations**

This workshop will build on the morning general session by providing an in depth discussion of approaches that health and welfare funds can use to better control costs without fundamentally redesigning the way they deliver health care. Examples will include ideas for encouraging better coordination of care among physicians and programs designed to encourage wellness among participants.

WEDNESDAY, SEPTEMBER 28, 2011

7:00 am – 12:00 noon

Exhibit Hall – Grand Ballroom East

7:30 am – 9:00 am

Continental Breakfast – Grand Ballroom East

9:00 am – 12:00 noon

GENERAL SESSION – Grand Ballroom West



Randy G. DeFrehn

Executive Director
NCCMP

Opening Remarks

Moderator:

Charles A. Storke

Director
Trucker Huss APC

Andrew Zuckerman

Director of Rulings &
Agreements
Employee Plans Division
Internal Revenue Service

**Agency Updates:
Recent IRS Regulatory
Activities Affecting
Multiemployer Plans**

The implementation of the ACA has produced a flurry of regulations that will affect multiemployer plans. Andrew Zuckerman will discuss the matters currently pending on the Agency's Priority Guidance Plans as well as the actions taken regarding W-2 reporting and other issues currently under development.

Bruce Perlin

Manager
Multiemployer Plan
Program Division
Pension Benefit Guaranty
Corporation

The PBGC

Concerns over a growing list of plans facing long-term funding issues and a Congressional mandate to complete a study on the effects on small business of the Pension Protection Act by the end of the year are but two of the topics the PBGC will be discussing in this year's update.

Louis Campagna

Chief, Division of Fiduciary
Interpretations
Office of Regulations and
Interpretations
Employee Benefits Security
Administration
U.S. Department of Labor

Department of Labor

Over the past year the DOL has undertaken initiatives involving the redefinition of the fiduciary standards, and along with the IRS and HHS has joint responsibility for implementation of the ACA. We look forward to hearing of these developments and learning about the status of the joint report to Congress on the impact on small business of the Pension Protection Act.

10:30 am – 10:45 am

Break – Exhibit Hall

10:45 am – 11:45 am

NCCMP Update

Presenter:

Randy G. DeFrehn

Executive Director
NCCMP

NCCMP Update

This session will review organizational developments over the past year, plans for the coming year and offers the opportunity to raise any other issues not addressed during the conference.

11:45 am

Closing Announcements

12:00 pm

Adjournment

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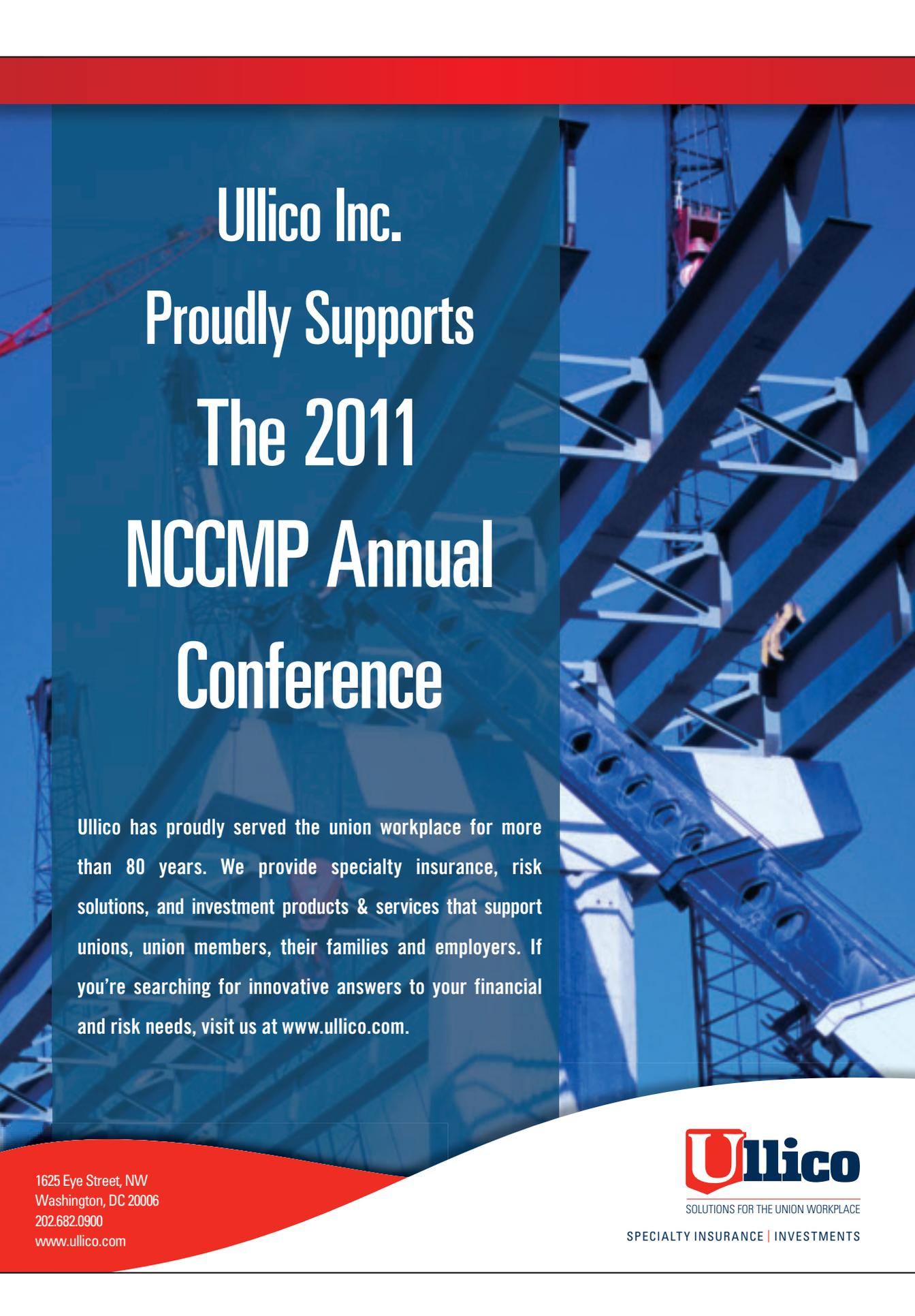
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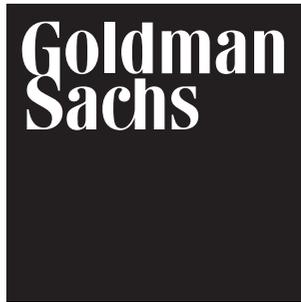
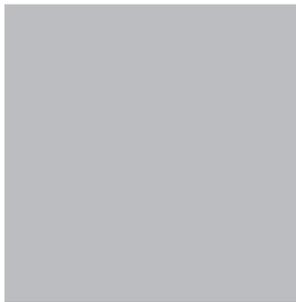
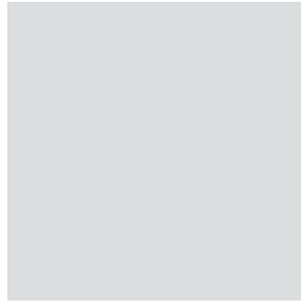
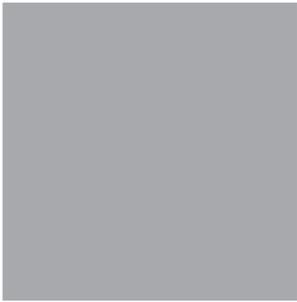
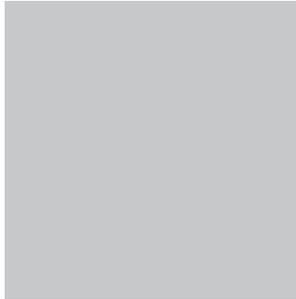
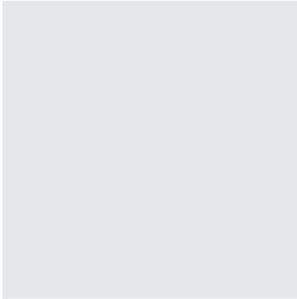
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