John C. Garner

Self-Funding
Health Benefit Plans
About the Editor

John C. Garner, CEBS, GBA, RPA, CFCI, CLU, CMC
Editor and Contributor

John Garner is chief compliance officer at Bolton & Company, Pasadena, California. Before joining Bolton, he was the founding principal of Garner Consulting. Previously, Mr. Garner was a principal in the Los Angeles office of Towers Perrin, where he worked for over ten years. He serves as the national legislative and government affairs advisor for the Disability Management Employer Coalition. Mr. Garner is a past chair of the CEBS Committee for the International Foundation of Employee Benefit Plans. He is a past member of the Governing Council of the International Society of Certified Employee Benefit Specialists and is a past president of the Los Angeles Chapter. Mr. Garner is also a past president of the Employee Benefit Planning Association of Southern California, the Los Angeles Life and Accident Claim Association and the Western Claim Conference. He is the author of the Health Insurance Answer Book and articles that have appeared in numerous publications. Mr. Garner received his B.A. degree from Occidental College.
About the Contributors

Jon Alexander is general counsel of Western Growers Assurance Trust, a California-headquartered multiple employer welfare arrangement. He advises the trust and participating employers on ERISA issues, the Patient Protection and Affordable Care Act (ACA), and self-funded employer benefit plan design, implementation and administration. Mr. Alexander also works closely with the trust’s board of trustees—advising the board on fiduciary and legal issues. He lectures extensively on the impact of the ACA with special emphasis on the differing consequences for small, large and self-funded agricultural employers. Mr. Alexander is a member of the California Bar and received his J.D. degree from the University of Idaho College of Law.

Daniel Aronowitz is an owner and the lead executive of Euclid Specialty Managers, a professional liability underwriting company. Euclid Specialty is best known for its fiduciary liability insurance program for multiemployer, governmental and nonprofit employee benefit plans. Prior to founding Euclid Specialty, he was the president of a national insurance company and a professional liability insurance lawyer/partner at the national law firm Shaw Pittman. Mr. Aronowitz is a graduate of The Ohio State University and Vanderbilt University School of Law. He has achieved the designation of RPLU+ from the Professional Liability Underwriting Society.

Kathryn L. Bakich is senior vice president and national health care compliance practice leader for Segal Consulting. She has more than 20 years of experience specializing in research and the analysis of federal laws and regulations affecting health coverage. Ms. Bakich is a member of the Health Technical Issues Taskforce of the American Benefits Council (ABC) and the Employers Council on Flexible Compensation (ECFC) Flex Advisory Council. She is also a Fellow of the American College of Employee Benefits Counsel. She is the author of the Employers’ Guide to HIPAA Privacy Requirements published by Thompson Publishing Group and a member of the International Foundation’s Government Liaison Committee. Ms. Bakich received her J.D. degree from the University of Missouri in Columbia.

Lawrence R. Beebe is a partner with the accounting firm of Bond Beebe, based in the Washington, D.C. area. He has over 40 years of experience as an accountant and auditor—specializing in labor and employee benefit plans. Mr. Beebe has been a frequent instructor for the University of Maryland, the American Institute of Certified Public Accountants (AICPA) and the International Foundation. He currently chairs the Foundation’s ACA Expert Panel and is a member of the Financial Review Committee. Mr. Beebe also served on the Foundation’s AICPA employee benefit expert panel. His book Payroll Auditing: A Guide for Multiemployer Plans, Second Edition was published by the Foundation in 2013. Mr. Beebe received a B.S. degree in accounting from the University of Maryland and an M.A. degree from Central Michigan University.
Bennett E. Choice is an attorney in the employee benefits department of Reinhart Boerner Van Deuren s.c., a law firm based in Milwaukee, Wisconsin. He advises Taft-Hartley trustees on issues involving the design and operation of health and welfare, defined benefit pension, 401(k) and other defined contribution plans. Mr. Choice also counsels trustees on their fiduciary obligations. He is a co-author of the HIPAA Privacy Compliance Manual for Health Plans. Mr. Choice obtained his bachelor of business administration degree from the University of Iowa. He is a graduate (with high honors) of the University of Iowa College of Law.

Michael Ewing is director of research for United Actuarial Services, Inc. (UAS) and has been an employee benefits attorney for over twenty years. UAS specializes in actuarial consulting to multiemployer health care, defined benefit pension, and defined contribution/401(k) plans across the nation. He authors 60+ newsletters each year analyzing laws, regulations and court cases affecting Taft-Hartley multiemployer pension and health plans. Mr. Ewing also has over 15 years’ experience at UAS in drafting and restating employee pension and health benefit plans, SPDs, plan amendments, SMMs, etc. Prior to that, he was a litigation attorney for ten years with an emphasis on ERISA health plan litigation. Mr. Ewing has a B.A. degree in psychology from Purdue University and a J.D. degree from Indiana University School of Law.

Eileen M. Flick is a senior vice president with Segal Consulting. She specializes in helping clients develop health care cost-containment strategies, with an emphasis on pricing and plan design. As director of health technical services, Ms. Flick manages the development of claims models for retiree health valuations; rate manuals for medical, prescription drug and dental programs; and health care benchmark database systems. She also manages client engagements in utilizing data-mining software to determine underlying cost drivers, develop strategies for engaging participants in their own care, contain costs and improve patient outcomes. Prior to joining Segal, Ms. Flick was a benefits consultant for a major accounting firm. She received a B.S. degree in mathematics and statistics from the State University of New York at Stony Brook.

Jeffrey R. Fuller is a director with Reinhart Boerner Van Deuren s.c. in Milwaukee. He has authored several articles in legal, tax and employee benefit journals dealing with employee benefits and compensation arrangements. Mr. Fuller serves as counsel for several national and regional Taft-Hartley multiemployer pension and welfare plans and for a number of corporate retirement plans. He has served on the International Foundation Board of Directors and several committees and presently serves as general counsel to the Foundation.

Gerti Reagan Garner, GBA, FLMI, is assistant vice president, employee benefits at Bolton and Company. She has over 25 years of benefits experience evaluating benefit operations and claim administration services, monitoring clients’ claim experience, preparation of self-funded budgets, conducting self-funding feasibility studies, benchmarking benefit plans, health benefits strategic planning, competitive bidding and organizational projects. Ms. Garner’s previous experience includes general management consulting, HMO and hospital financial operations, and auditing for a Big 5 accounting firm. She began her career as a claim examiner.

Lonie A. Hassel recently retired as a principal at Groom Law Group, an employee benefits law firm in Washington, D.C. She joined the firm after eight years of practice at the Pension Benefit Guaranty Corporation (PBGC). At Groom Law Group, Ms. Hassel advised ERISA-covered pension and welfare plans and public employee plans on fiduciary issues and defended and prosecuted individual and class actions involving fiduciary breach and benefit claims. She also represented clients on employee benefit issues arising in bankruptcy and in mergers and acquisitions. Ms. Hassel negotiated agreements with PBGC relating to plan terminations, PBGC premiums and multiemployer plan issues. She received her J.D. degree from the University of Virginia School of Law.
Michael I. Helmer is a vice president and consulting actuary with The Segal Company’s Minneapolis office, where he consults with clients on design, funding and reserve strategies for health and welfare plans and funding requirements for pension plans. He initially joined The Segal Company as a health actuary in its Chicago office. Previously, Mr. Helmer provided actuarial consulting services to the national health and welfare programs and pension plans of a large religious denomination. He is an enrolled actuary, a Fellow of the Conference of Consulting Actuaries and a member of the American Academy of Actuaries. Mr. Helmer received a B.A. degree in mathematics from Rutgers University in New Brunswick, New Jersey.

John Hume has been a consultant for the Marco Consulting Group since 2010. He was previously a principal at Mercer serving multiemployer clients. Before that, Mr. Hume was senior vice president at Putnam Investments, where he supported multiemployer defined benefit and defined contribution plans. He has also held positions in business development and client services at Rockland Trust Company and Fidelity Investments. Besides earning his M.B.A degree from Suffolk University and his B.S. degree in economics from the University of Massachusetts at Boston, Mr. Hume holds a CIMA® designation awarded by the Investment Management Consultants Association. In addition, he holds Series 6, 7, and 63 licenses. Mr. Hume is an active member of both the International Foundation and the Investment Management Consultants Association.

Michael D. Joyce is executive vice president and senior consultant for The Marco Consulting Group, managing Marco’s East Coast office. He consults in all aspects of investment and fiduciary issues, primarily with jointly trusteed plans. Previously, Mr. Joyce was a partner with Murphy, Hesse, Toomey and Lehane in its employee benefit practice group working with Taft Hartley, public and corporate benefit plans. He has earned the designation as a certified employee benefit specialist and is a Fellow of the International Society of Certified Employee Benefit Specialists (ISCEBS). Mr. Joyce served as President of the Governing Council of ISCEBS. A member of the Massachusetts Bar Association, he serves on several nonprofit organization boards. Mr. Joyce graduated from the University of Notre Dame and Suffolk University Law School.

Steve Kokulak joined MagnaCare in 2007 as director of workers’ compensation and no-fault. He rose to vice president and eventually to his current position as senior vice president. In this capacity, Mr. Kokulak is responsible for all matters relating to MagnaCare’s workers’ comp and no-fault lines of business, including sales, marketing, business development and compliance. He is also involved in the operational structure of the areas that support this division. Mr. Kokulak came to MagnaCare from Liberty Mutual Insurance Company, where he served as senior trial counsel and team lead. He holds a B.A. degree in political science from Fordham University and a law degree from Brooklyn Law School. Mr. Kokulak has been a member of the New York State Bar since 1987. He currently sits on SIIA Workers’ Compensation Committee, moderating lectures and contributing articles to their magazine. Other memberships include RIMS, both local and national chapters, NYSBA, NYCA, NYSIA and NJSIA.

Jeffrey D. Mamorsky is a shareholder and chair of the employee benefits group of Greenberg Traurig, LLP. He serves as employee benefits counsel to major multiemployer pension and welfare funds among others. Mr. Mamorsky participated in the drafting of ERISA and subsequently authored a two-volume treatise, Employee Benefits Law, which has been cited as authority by the U.S. Supreme Court and other federal and state courts. He is also the editor of the Employee Benefits Handbook, author of Health Care Benefits Law and founder and editor in chief of the Journal of Compensation and Benefits. Mr. Mamorsky received a J.D. degree from New York Law School and an LL.M. degree in taxation from New York University School of Law. He is a charter fellow of The American College of Employee Benefits Counsel.

Edward R. Mackiewicz, a partner with the law firm of Steptoe & Johnson LLP, practices primarily in the employee benefits area, representing clients before ERISA agencies and advising them on pending legislation. Prior to joining Steptoe & Johnson, he served as general counsel of the Pension Benefit Guaranty Corporation. Mr. Mackiewicz also served as the multiemployer plan representative on the Secretary of Labor’s ERISA Advisory Council in 1991 and 1992. He received a B.A. degree from Yale University and a J.D. degree from Columbia University Law School. Mr. Mackiewicz co-authored a text on Pension Plan Terminations, published by BNA Books.
George McGregor is president of McGregor & Associates, which provides administrative, consulting and financial services for employer health plans. He currently acts as general manager of the 125,000-member California Schools VEBA trust. Additionally, Mr. McGregor is a founding director of the California Health Care Coalition—a consumer group dedicated to improving the quality of health care for all Californians. His prior experience includes serving as executive director of a multispecialty medical group and finance director for an international insurance company. Mr. McGregor has an M.B.A. degree from the University of Southern California and a B.S. degree in accounting from Arizona State University. A licensed CPA in California and Arizona, he also holds a third-party administrator license in California and life and disability agent licenses in multiple states.

Larry McNutt is senior vice president, Corporate and Pension Administration, for Northwest Administrators, Inc. Previously, he served as administrator of the Carpenters Trusts of Western Washington—a group of four self-administered trusts serving active and retired union carpenter families throughout Washington, Idaho, Montana and Wyoming. Mr. McNutt has been directly involved in Taft-Hartley fringe benefit administration for over 35 years. His experience includes administration of benefits for many industries, including construction, freight and warehousing, building service, shipbuilding and food processing. Mr. McNutt is a CPA in Washington State and has served as independent auditor to several Taft-Hartley trust funds in Washington and California. He is a past president of the Northwest Association of Administrators and currently serves as board chairman of the Washington Health Alliance.

Philip R. O’Brien is a shareholder in Reinhart Boerner Van Deuren’s Taft-Hartley group of the employee benefits practice area. He serves multiemployer health and pension fund clients across the country with a particular focus on ERISA contribution delinquency protection, contract enforcement, and subrogation and reimbursement issues. An experienced author and speaker, Mr. O’Brien frequently presents to professional, business and plan management audiences on the most relevant and topical issues impacting employee benefits. He earned his law degree and his undergraduate degree magna cum laude from Marquette University. Since 2005, Mr. O’Brien has consistently been selected as one of Wisconsin’s Super Lawyers in the field of employee benefits.

Paul J. Ondrasik Jr. is a partner in the law firm of Steptoe & Johnson, LLP, working primarily in the employee benefits plan field, with particular emphasis on ERISA litigation and fiduciary responsibility matters. He has received a first ranking in the area of national ERISA litigation in Chambers USA 2015, America’s Leading Business Lawyers. Mr. Ondrasik is a graduate of Princeton University and the University of Virginia School of Law and is a charter fellow of the American College of Employee Benefits Counsel. He has served the International Foundation as an Advisory Director and as a member of its Government Liaison, Educational Programs and Attorneys Committees.

Stephanie Patrick is a consulting actuary for Horizon Actuarial Services, LLC and is based in Atlanta, Georgia. In addition to performing actuarial projections for a wide variety of health and welfare plans, she consults primarily on the design, financing, and administration concerns of multiemployer health and welfare programs. Ms. Patrick also consults on eligibility strategy, vendor management, compliance with respect to benefit legislation, and employee communications. Her career as an actuary began at Towers Watson, where she worked with a variety of large corporate clients before joining Horizon Actuarial in 2010. Ms. Patrick is a fellow of the Society of Actuaries and a member of the American Academy of Actuaries. She graduated from Vanderbilt University with a B.S. degree in mathematics and philosophy.

Julian M. Regan is vice president and senior investment consultant for The Marco Consulting Group (MCG). He has provided leadership, overseen investments and managed risk for some of the nation’s largest institutional investors. Prior to joining MCG, Mr. Regan served as executive director of the New York State Deferred Compensation Board. He also served as vice president of risk governance and strategy for Fidelity Investments and as assistant general manager and budget director for the Massachusetts Bay Transportation Authority. In 2005, Mr. Regan was appointed by the U.S. Treasury Secretary to the IRS Advisory Committee on Tax Exempt and Government Entities. He received his M.B.A. and B.S.B.A. degrees from Suffolk University.
James E. Schreiber is president of TIC International Corporation in Lansing, Michigan—a third-party administrator for multiemployer Taft-Hartley trust funds in the construction trades. He has been employed by TIC since 1991 and is responsible for the overall administration of all funds for which his offices provide administration and consulting services, including health care, pension, vacation and apprenticeship and training trust funds. Mr. Schreiber has been involved in the administration of employee benefits since 1980. Prior to joining TIC International Corporation, he was employed by a large third-party administrator located in Chicago. Mr. Schreiber has been a Voting Director and served on many International Foundation committees. With a bachelor’s degree in business from Western Illinois University, he is also a frequent speaker/moderator for the International Foundation.

David Searles is a vice president and consultant with Segal Consulting. He has more than 20 years’ experience working with health technology systems and serves as the project leader for several key health practice initiatives, including Segal’s medical data mining and pricing tools and analytics. Mr. Searles works with clients to provide technical assistance for network discount analysis, pricing, wellness and disease management program effectiveness, and plan design analysis. Prior to joining Segal, he was an assistant vice president with Berkley Accident and Health and a principal with Apex Management Group. Mr. Searles received a B.B.A. degree from Rutgers University and is a certified employee benefits specialist.

Gregory A. Storm is a shareholder in the Reinhart Boerner Van Deuren s.c. employee benefits practice and a member of the firm’s executive compensation team in Milwaukee, Wisconsin. He advises a wide range of corporate, governmental, nonprofit and multiemployer plan clients on issues including the design and operation of retirement plans, health benefit plans and nonqualified deferred compensation arrangements. Mr. Storm specializes in advising clients on Affordable Care Act compliance and planning. He frequently shares his experience and expertise as a speaker on employee benefits topics. Mr. Storm earned his J.D. degree cum laude from the University of Notre Dame Law School and his B.A. degree from St. Mary’s University of Minnesota, where he was valedictorian.

William H. Tobin is a shareholder of Reinhart Boerner Van Deuren s.c. in Milwaukee, Wisconsin. His practice focuses on advising trustees of Taft-Hartley multiemployer pension and health and welfare plans throughout the country on all aspects of employee benefits. Mr. Tobin regularly speaks and writes on retirement and health and welfare issues. He has spoken at the International Foundation Annual Conference. Mr. Tobin has served as a director of both the Wisconsin Retirement Plan Professionals, Ltd., and the Milwaukee Bar Association’s Employee Benefits Section. He is also a member of the Wisconsin Bar Association. He received his bachelor of arts degree from Middlebury College and his law degree cum laude from Boston University School of Law.

Sarah J. Warhaftig is director of risk management programs for The National Alliance for Insurance Education & Research and responsible for the certified risk manager designation programs. Previously, she was director of operations for Aparicio, Walker & Seeling. Among Ms. Warhaftig’s clients were public entities, third-party administrators, boards, and private corporations. As practice manager and senior consultant with Sigma Consulting Corporation, she consulted with large municipal and not-for-profit clients regarding their insurance and risk management programs. During her career, Ms. Warhaftig has also held positions as risk management director, assistant vice president of claims, and regional claims manager. A graduate of Tulane University and Rutgers University Law School, she is immediate past president of AWS Risk Management, LLC in Metairie, Louisiana.