



Preserving ERISA and Employer-Sponsored Health Coverage

Issue: Litigation and state and local laws affecting employer-sponsored group health plans threatens to undermine uniform, cost-effective administration of employer-sponsored plans.

Position: Maintaining ERISA as the primary legal framework for employer-sponsored benefit plans will support efficient plan administration and allow plan sponsors to devote more resources to employee compensation and benefits. Therefore, the National Business Group on Health supports:

- Preserving ERISA as the primary law governing employer-sponsored benefit plans.
- ERISA preemption of state and local laws that interfere with or impose costs on the administration of employer-sponsored benefit plans.
- Maintaining plan sponsors' ability and flexibility to design employee benefit plans to suit the needs of their lines of business and employee populations.
- Evidence-based standards for high-quality and cost-effective health care rather than benefit mandates.
- Uniform, evidence-based national standards for any legally-mandated benefits, health information technology, privacy protection, and provider licensure requirements that affect employer-sponsored benefit plans.
- Preserving federal jurisdiction over cases involving employer-sponsored benefit plans.
- Medical malpractice reform that reduces incentives for defensive medicine, curbs frivolous litigation, and places reasonable limits on damages.