

# Which Types of Benefits ARE Subject to ERISA?

- Medical
- Dental
- Vision
- Rx Plans
- Life & Disability
- AD&D
- EAPs
- Health FSAs
- HRAs
- Business Travel Accident Plans
- Wellness Programs
- Pre-Paid Legal
- Disease specific coverages that provide medical benefits (i.e., Cancer or Critical Illness)
- Telemedicine
- Severance Plans (not one-off arrangements)
- On-site Clinics (offering more than first aid)

# Which Types of Benefits Are NOT Subject to ERISA?

- Dependent Care Assistance Programs (DCAPs and DCFSAs)
- HSAs (where ER interaction w/ plan is limited)
- Pet Insurance
- Commuter Benefits (i.e., Parking and Transit)
- PTO Plans
- Sporting event and ticketing discount programs
- Adoption assistance programs
- State mandated benefits (i.e., STD – if not enhanced beyond state requirements)
- Educational assistance or tuition reimbursement plans