

DOL Investigations & Compliance

Miller & Chevalier's DOL Investigations and Compliance Practice provides counseling and strategic advice to assist clients confronting the challenges of increased audit and regulatory scrutiny under the Employee Retirement Income Security Act of 1974 (ERISA), the Affordable Care Act (ACA), and the Health Insurance Portability and Accountability Act (HIPAA). The practice also features significant ERISA litigation capabilities and policy experience that are crucial to navigating a business environment marked by constant regulatory and legislative changes and aggressive government enforcement. Our practice offers an astute understanding of fiduciary and prohibited transaction and exemption issues, including those presented by DOL's recently released fiduciary and conflict of interest regulations, as well as ACA and HIPAA concerns unique to health and welfare plans.

In addition to providing counsel on day-to-day compliance issues, the team has a well-established reputation for guiding companies through complex and high-stakes investigations. We have been successful in persuading DOL to terminate investigations and issue no-action letters, and have negotiated favorable resolutions at the investigative stage. Our most senior ERISA attorneys have significant experience with the DOL's ERISA enforcement and regulatory programs. The team thoughtfully marshals their understanding of and experience with ERISA, the ACA, and HIPAA, along with their unique insight into DOL's internal operations and decision-making process, to effectively advocate for successful client outcomes.

Representative Engagements

- Represented investment consultant in connection with possible conflicts of interest
- Represented service provider in connection with administrative expenses
- Represented fiduciaries in connection with investment management decisions
- Represented fiduciaries in connection with employee stock ownership plan transactions
- Represented investment manager in connection with REIT issues
- Represented trade associations in separate investigations in connection with administrative expenses
- Represented financial institutions in separate investigations concerning broad range of asserted fiduciary issues
- Represented health insurance carriers and service providers concerning claims review procedures
- Represented companies and plan sponsors concerning pension plan and controlled group issues

Government Experience

- Chief, Division of Health Investigations, Employee Benefits Security Administration, U.S. Department of Labor
- Deputy Associate Solicitor, Office of the Solicitor, U.S. Department of Labor
- Assistant General Counsel, Federal Bureau of Investigation, U.S. Department of Justice
- ERISA Counsel, Regional Office of the Solicitor, U.S. Department of Labor