

**Jessica E. Kuester**

Of Counsel

[jessica.kuester@ogletree.com](mailto:jessica.kuester@ogletree.com)**Location:**Indianapolis (Office: 317-916-2542, Fax: 317-916-9076)**Education:**J.D., *magna cum laude*, Syracuse University College of Law, 2009

B.S., Frostburg State University, 2004

**Practice Areas:**Employee Benefits and Executive Compensation, Mergers and Acquisitions

Jessica Kuester practices in the area of employee benefits. She has experience representing employers in a wide variety of compliance areas, including health plans and retirement plans. She advises employers on compliance with the Affordable Care Act, HIPAA, COBRA, and ERISA. With extensive experience in drafting health plan documents, Jessica has designed compliant 125 cafeteria plans, HIPAA programs, and "wrap" health plan documents. She has also provided HIPAA training for employers' workforces.

Jessica also works with employers to keep their retirement plans in compliance with relevant laws, with experience in both defined benefit and defined contribution plans. She assists clients with IRS and DOL audits, as well as internal compliance audits and plan corrections.

**Admitted to Practice:**

District of Columbia  
Maryland  
Indiana

**Professional Activities:**

- Secretary, Great Lakes Area TE/GE Council
- Board Member, Joint TE/GE Council

**Speeches:**

- Ogletree Deakins Webinar - "EEOC Greenlights Employer COVID-19 Vaccination Programs...But How and When Will Everything Fall Into Place?" - January 19, 2021
- Indiana Chamber of Commerce Employee Benefits Virtual Recorded Seminar - "The Impact of the Pandemic on Employer Health and Welfare Benefit Plans" - June 24, 2020
- Indiana Chamber of Commerce Employee Benefits Virtual Recorded Seminar - "Updating Your Retirement Plans for the CARES Act and the SECURE Act" - June 24, 2020
- Ogletree Deakins Webinar – "COVID-19 Update: Furloughs, Reduced Schedules, and Other Cost-Saving Measures" – April 13, 2020
- Ogletree Deakins Webinar – "COVID-19 Update: Furloughs, Reduced Schedules, and Other Cost-Saving Measures" – April 9, 2020

- Ogletree Deakins Webinar - "COVID-19 Update for Employers: Employee Benefits and Compensation Issues" - March 25, 2020
- Ogletree Deakins Webinar - "COVID-19 Update for Employers: Employee Benefits and Compensation Issues" - March 23, 2020
- Indiana Chamber of Commerce Employee Benefits Seminar - "Pushing the Envelope on Fringe Benefits" - Indianapolis - September 12, 2018
- 54th Annual Human Resources Conference & Expo - "Wellness Programs in 2018 and Beyond" - Indianapolis - May 8, 2018
- IBC - "New Disability Regulations" - Indianapolis - March 20, 2018
- Joint TE/GE Council Employee Plans & Exempt Organizations Annual Meeting – "QDRO Fees in Defined Benefit Plans" – Baltimore – February 22, 2018
- Indiana Health and Wellness Summit - "Legal Update for Wellness Programs" - Indianapolis – October 3, 2017
- Indiana Chamber of Commerce Employee Benefits Seminar - "Health and Welfare Plan Hot Topics" - Indianapolis - September 19, 2017
- Indiana Chamber of Commerce Employee Benefits Seminar - "Retirement Plan Administration 101: QDROs, Death Benefits, and POAs" - Indianapolis - September 19, 2017
- Lorman Webinar - "IRS Determination Letters: Recent Changes and New Guidance" - July 27, 2017
- Indiana Chamber of Commerce 53rd Annual Human Resources Conference & Expo - "Top 10 Benefits Issues to Watch in 2017" - Indianapolis - April 26, 2017
- Ogletree Deakins Briefing - "Trumping the ACA: What's Next for Employer Health Plans?" - Indianapolis - April 13, 2017
- Indiana Health and Wellness Summit - "Recent Changes in the Legal Landscape" - Indianapolis - September 21, 2016
- Indiana Chamber of Commerce Employee Benefits Seminar - "Affordable Care Act Update" - Indianapolis - September 13, 2016
- Indiana Chamber of Commerce Employee Benefits Seminar - "Wellness Plan Headaches" - Indianapolis - September 13, 2016
- Indiana Workplace Wellness Partnership - Wellness and the ACA - "Wellness Programs: Legal Update" - Indianapolis - July 8, 2016
- Indianapolis Bar Association – Employment Law for Small Businesses - "Affordable Care Act Update" - Indianapolis - October 22, 2015
- Indiana Chamber of Commerce Employee Benefits Seminar - "There's More to Life Than the ACA: Other Important Self-Funded Health Plan Developments" - Indianapolis - September 15, 2015

- Indiana Chamber of Commerce Employee Benefits Seminar - "Wait, There's More! ACA Reporting Nuts & Bolts Workshop" - Indianapolis - September 15, 2015

### **Media Quotes:**

- March 26, 2020 - [Taxnotes](#) - "Coronavirus Puts Pressure on Telemedicine Issues for HSAs"

### **Published Works:**

- January 14, 2021 – Ogletree Deakins Blog Post – “[EEOC Issues Long-Awaited Proposed Wellness Program Rules](#)”
- January 5, 2021 - SHRM Online - "Legislation Increases Employee Health Plan Transparency"
- December 28, 2020 – Ogletree Deakins Blog Post – “[Consolidated Appropriations Act Requirements to Increase Health Plan Transparency](#)”
- August 27, 2020 - Lorman Education Services - "Spurred by COVID-19 Emergency, IRS Issues Cafeteria Plan Relief"
- May 23, 2020 – Ogletree Deakins Blog Post – “[DOL Finally Relaxes Its Electronic Delivery Rule—But Only for Retirement Plans](#)”
- May 20, 2020 – Ogletree Deakins Blog Post – “[Spurred by COVID-19 Emergency, Issues Cafeteria Plan Relief](#)”
- February 19, 2020 – Ogletree Deakins Blog Post – “[HHS Proposed Guidance Would Clarify Rules for Drug Manufacturer Coupons](#)”
- December 4, 2018 – Ogletree Deakins Blog Post – “[IRS Extends Deadline to Provide Forms 1095-B and 1095-C to Individuals](#)”
- December 13, 2016 – Ogletree Deakins Blog Post – “[How Does the 21<sup>st</sup> Century Cures Act Affect Employee Benefits?](#)”