

# “Full Disclosure: Tenth Circuit Highlights ERISA’s Document Disclosure Requirements,” *Employee Relations Law Journal*

## Publications

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In an article for *Employee Relations Law Journal*, Partner Joseph Torres and Associates George Allan and Emma O'Connor examine a recent decision by the US Court of Appeals for the Tenth Circuit, which serves as a useful reminder of some of the pitfalls of failing to comply with ERISA's disclosure requirements. They discuss statutory and regulatory disclosure requirements, and a recent Tenth Circuit decision, *M. S. v. Premera Blue Cross*.

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“A plan can opt to disclose certain information without waiving its position as to whether the document falls within ERISA’s disclosure obligations,” the authors write. “But as ERISA plans become more complicated both in design and administration, plans and their administrators need to carefully evaluate their disclosure obligations and make sure they have a process for how such requests are evaluated and addressed. Prudent plan administration demands nothing less.”

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