



Chad R. DeGroot

Partner

Chicago

t: 312.467.9800

f: 312.467.9479

cdegroot@lanermuchin.com

Chad concentrates his practice on all aspects of employee benefits and executive compensation law, including the design, drafting, and administration of qualified and nonqualified retirement plans, health and welfare plans, fringe benefit plans, and equity-based compensation arrangements. Chad advises clients with respect to, among other things, compliance with the Internal Revenue Code, ERISA, COBRA, HIPAA, PPACA, FMLA, MHPAEA, and any other laws or regulations, from the federal to the state and local level, that impact employee benefit plans or executive compensation arrangements. Chad also advises buyers and sellers as to employee benefits and executive compensation issues in mergers and acquisitions. In addition, Chad advises clients on and prepares employment agreements and service contracts and offers guidance to employers with regard to Affirmative Action Programs and other issues associated with federal government contracts.

HONORS, MEMBERSHIPS, AND PUBLICATIONS

- American Bar Association Tax Section Nolan Fellow 2011
- Member, Chicago Bar Association

Practice Areas

Counseling and Transactional

- Mergers and Acquisitions

Employee Benefits and Executive Compensation

- Affordable Care Act, HIPAA and COBRA Compliance
- Executive and Non-Qualified Deferred Compensation Benefits
- Governmental Employee Benefits
- Health and Welfare Benefit Plans
- IRS, DOL and PBGC Audit and Correction Counseling
- Multi-Employer / Taft-Hartley Plans

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- Member, American Bar Association
- Author, *Yale Deal Shows Pitfalls of Penalty-Based Wellness Programs*," Law360 (March 15, 2022)
- Co-Author, *Supreme Court Virtually Eliminates Defined Benefit Plan Participants' and Beneficiaries' Right to Sue under ERISA for Breach of Fiduciary Duty*, Employment Law Update, 2021 Edition - Wolters Kluwer (2021)
- Author, *Yale Case Reminds Employers of Key Wellness Program Risk* – Law360 (September 10, 2019)
- Author, *The Use of Mandatory Arbitration Provisions to Recoup Money Owed to ERISA Plans*, Benefits Practitioners' Strategy Guide – Bloomberg BNA (August 2019)
- Author, *The Multiemployer 401(k) Plan: Fitting a Cash or Deferred Arrangement into a Round Hole*, NYU Review of Employee Benefits and Executive Compensation (October 2016)
- Author, *The Impact of Bankruptcy on Executive Compensation Arrangements*, <http://www.mynqdc.com> (January 2012)
- Author, *The Intersection of Bankruptcy and Benefits*, BNA Tax Management Compensation Planning Journal (April 2011)
- Co-Author, *A Review of Backloading and Whipsaw Litigation in Applicable Defined Benefit Plans (a.k.a. Cash Balance Plans)*, NYU Review of Employee Benefits and Executive Compensation (December 2010)
- Chapter Author on Plan Terminations, *The CPA's Guide to Retirement Plans for Small Businesses (3rd Edition)* AICPA Publishers, (Summer 2010)
- Author, *Welcome to the Jungle: Plan Sponsors Must Slash Through the Thicket of Top-Hat Plan Litigation*, BNA Tax Management Compensation Planning Journal (June 2008)

- Retirement Plans

Education

University of Illinois
Chicago School of Law, J.D.
& LL.M., 2008

Central Michigan University,
B.S., Philosophy/Political
Science, 2003

Admissions

Illinois

Michigan

Missouri

U.S. District Court for the
Northern District of Illinois

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Experience

Below are representative samples of the types of matters Chad handles on behalf of Laner Muchin clients:

- ✓ Preparing plan documents and participant communications.
- ✓ Advising as to correction of retirement plan qualification failures and nonqualified deferred compensation plan violations of 409A.
- ✓ Drafting and negotiating employment agreements.
- ✓ Drafting equity compensation arrangements, including stock option, restricted stock unit, as well as drafting nonqualified deferred compensation arrangements, supplemental retirement, severance, and change-in-control plans.
- ✓ Representing plan sponsors in front of the IRS, DOL, and HHS.
- ✓ Advising as to compliance matters with respect to health and welfare plans, including medical, dental, vision, and prescription drug plans, cafeteria plans, health FSAs, wellness benefits, disability plans, employee assistance plans, and on-site medical clinics.
- ✓ Advising as to issues associated with fringe benefit arrangements, including tax and withholding matters.
- ✓ Negotiating vendor contracts on behalf of plans and plan sponsors.
- ✓ Advising multiemployer plans and trusts on all employee benefit and trust matters.
- ✓ Advising governmental employers as to applicable state and municipal laws related to employee benefits.
- ✓ Defending employers in employment discrimination, harassment and retaliation cases before administrative agencies.

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News, Events, and Publications

Chad DeGroot Highlights Key Wellness Program Risks in Law360

03.17.2022

Wes Covert, Monica Lasky and Chad DeGroot Will Examine COBRA Subsidies and Legal Requirements Under the American Rescue Plan Act in Upcoming Laner Muchin Webinar

05.06.2021

Yale Case Reminds Employers Of Key Wellness Program Risk

Law360, 09.11.2019

Twenty-Seven Laner Muchin Attorneys Named 2018 *Illinois Leading & Emerging Lawyers*

01.01.2018

Fast Laner

Employers Must Remain Vigilant in Addressing IRS Letters 226J for Employer Shared Responsibility Payments

Chad DeGroot, 04.09.2024

Lawsuit Against Johnson & Johnson For Mismanagement of Drug Prices Likely a Sign of Things To Come For Many Self-Insured Health Plan Sponsors

Chad DeGroot , 02.22.2024

SECURE 2.0 Guidance Provides Retirement Plans Much Needed Clarity

Chad DeGroot, 01.19.2024

Operational Retirement Plan Changes for 2024

Chad DeGroot, 11.17.2023

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COVID National Emergency Ends Early Impacting Health Plans

Chad DeGroot, 04.24.2023