



THE WAGNER LAW GROUP

Retiree Medical Trusts™

Our Expertise

Retiree Medical Trusts™, in the public and private sector, seamlessly integrate federal and state tax and labor law, as well as federal and state benefits law, to develop a pre-funding vehicle for retiree health care costs for public sector employees. These Trusts are a cost-effective, flexible and highly tax-favored method to help employees save for future retiree medical expenses, during their active careers.

A Retiree Medical Trust program takes advantage of the power of collective financing to provide medical reimbursement benefit payments on a monthly basis, similar to an annuity, but the benefit is not vested; instead, the benefit level is variable, up or down.

These trust programs obtain tax-exempt status, either as an “Integral part trust” or a “VEBA,” depending on the sponsoring party. They are structured to enable financing with monthly tax deductible employee or employer (or combination of both) contributions. These funds are in turn used to reimburse claim dollars for medical expenses upon retirement. No taxes are due on these reimbursements.



Super Lawyers







Issues concerning these Trusts that arise with the IRS include:

- Contribution and eligibility rules
- Permissible benefits
- Death benefit issues
- Application of COBRA
- Trust expansion possibilities
- Definition of “definitely determinable” benefits


www.wagnerlawgroup.com


 [@wagner-law-group](#)

 [fb.com/WagnerLawGroup](#)

Boston:

99 Summer Street, 13th Floor
Boston, MA 02110
Tel: (617) 357-5200

 [@wagnerlawgroup](#)

 [@wagnerlawgroup](#)

Boynton Beach:

1880 N. Congress Avenue, Suite 200
Boynton Beach, FL 33426
Tel: (561) 293-3590

Chicago:

180 N. LaSalle Street, Suite 3200
Chicago, IL 60601
Tel: (847) 990-9034

Lincoln, MA:

55 Old Bedford Road, Suite 303
Lincoln, MA 01773
Tel: (617) 532-8080

New York:

200 Park Avenue, Suite 1700
New York, NY 10166
Tel: (212) 338-5159

San Diego:

8677 Villa La Jolla Drive, Suite 888
San Diego, CA 92037
Tel: (619) 232-8702

San Francisco:

315 Montgomery Street, Suite 900
San Francisco, CA 94104
Tel: (415) 625-0002

St. Louis:

1099 Milwaukee Street, Suite 140
St. Louis, MO 63122
Tel: (314) 236-0065

Tampa:

101 East Kennedy Boulevard, Suite 2140
Tampa, FL 33602
Tel: (813) 603-2959

Washington, D.C.:

800 Connecticut Avenue, N.W., Suite 810
Washington, D.C. 20006
Tel: (202) 969-2800

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