HUSCH BLACKWELL

Craig A. Kovarik

PARTNER

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OVERVIEW

Craig is member of the Firm's Employee Benefits & Executive Compensation team (and a former Certified Public Accountant) who has spent his entire legal career helping clients navigate complex ERISA, tax and related laws pertaining to employer-sponsored benefit plans and compensatory arrangements.

Among the areas Craig counsels clients (both public and non-public) include the following:

- Equity-based compensation (including required SEC disclosures)
- Executive employment agreements
- Annual and long-term incentive plans, including customized award agreements
- Non-qualified deferred compensation arrangements
- Compliance with Internal Revenue Code Sections 162(m), 280G and 409A
- Qualified 401(k), pension and other retirement plans

Industries

Education

Healthcare

Services

Employee Benefits & Executive Compensation

Employee Stock Ownership Plans

Equity, Incentive & Deferred Compensation

Healthcare Operations

Healthcare Providers

Rail

Retirement, Health & Welfare Plans

Craig also has significant experience with health and welfare benefit plan compliance matters, including ERISA, HIPAA and the Patient Protection and Affordable Care Act.

Experience

- As key member of the firm's CARES Act resource team, advised clients on accessing COVID-19-driven financial assistance, including Paycheck Protection Program (PPP), Economic Injury Disaster Loans (EIDL) and Main Street Lending Program.
- Assisted large international benefits broker with HIPAA privacy and related confidentiality issues regarding the client's web-based marketing strategy.
- Routinely helps clients with the design and implementation of their executive compensation programs. His recent experience includes the drafting of 3-year rolling long term incentive plans and related award agreements.
- Represents three major tax-exempt hospital systems, collectively with more than 15,000 employees, on all employee benefit and executive compensation matters.
- Represented numerous large and midsize companies, both public and nonpublic, on virtually all employee benefit and executive compensation matters.
- Advised more than 20 employee stock ownership plan (ESOP) clients in transactions exceeding $100 million.
- Routinely represents clients on employee benefit and executive compensation matters relating to mergers and acquisition strategies and integration. Most recently, represented a packaged foods company in connection with its $2.7 billion divesture.
- Negotiated a tax-penalty abatement of more than $300,000 arising from an Internal Revenue Service (IRS) payroll tax audit.
- Filed and received a compliance statement on more than 20 submissions under the IRS' Employee Plans Compliance Resolution System (EPCRS).
- Advised hundreds of clients relating to compliance with section 409A of the Internal Revenue Code (IRC).

Recognition

- *The Best Lawyers in America®,* Employee Benefits (ERISA) Law, 2009-2024; Best Lawyers® Employee Benefits (ERISA) Law "Lawyer of the Year," Kansas City, 2017, 2019, 2023
- Missouri & Kansas Super Lawyers, Employee Benefits/ERISA, 2006-2007

Education

- J.D., University of Kansas School of Law
    - Order of the Coif
- B.B.A., University of Texas at Austin
    - with honors

Admissions

- Missouri
- Kansas

Community Leadership

- Employee Benefits Institute of Kansas City, Steering Committee
- Mid-America Coalition on Health Care, Board of Directors

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