

# PUBLIC SUBMISSION

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**Docket:** IRS-2010-0010

Group Health Plans and Health Insurance Coverage Rules Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act

**Comment On:** IRS-2010-0010-0001

Group Health Plans and Health Insurance Coverage: Interim Final Rules for Relating to Status as a Grandfathered Health Plan under the Patient Protection and Affordable Care Act

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## Submitter Information

**Name:** Gregg daniel Rubinstein**Address:**

NYC, NY,

**Submitter's Representative:** NY Chiropractic Council**Organization:** 57th Street Chiropractic & wellness center**Government Agency Type:** State

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## General Comment

08/16/10

Office of Consumer Information and Insurance Oversight  
 Department of Health and Human Services  
 Attention: OCIO-9991-IFC  
 P.O. Box 8016  
 Baltimore, MD 21244-1850

Re: Interim Final Rule for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act

Below are my comments regarding the Interim Final Rule for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act (PPACA).

I believe that every effort should be made to increase the number of individuals covered by PPACA, especially as of January 1, 2014 when most of the reform components (Insurance Exchanges, Subsidies, Tax Credits, etc.) come into play.

The average consumer has a broad definition of "benefits." Consumers view their health plan

beyond the covered benefits, cost sharing, and the contribution levels associated with the plan. It is my opinion that the Rule may still result in some confusion to the marketplace in its application. For example, if an employer raised the copayment level beyond the maximum in one area (i.e. outpatient services) but retained the copayment level for primary care doctor visits, does that mean a loss of grandfather status? Clarity will be critical both for the employer and the employee.

Even by the most optimistic estimates, a substantial portion of the employee population will remain outside the PPACA as of January 2014 based on the current rules. While I understand the difficulty involved in making change, creating another large sub-population of excluded individuals will only add to costs, increase confusion, and mitigate the potential impact of the legislation.

The Rule needs to be clear, reasonable, and with no ambiguities involved in determining whether a group health plan is "in or out." The decisions the federal government makes today will determine the outcomes fo