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Definition of Employer Under Section 3(5) of ERISA-Association Health Plans

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General Comment

I am concerned about what appears to be the systematic dismantling of the Affordable Care Act (ACA). The proposed rule, which allows the purchase of association health plans, will leave older, sicker people with higher premiums if they continue to purchase on the ACA marketplace. The proposed rule also relaxes regulations on associations sponsoring health plans leaving a big opening for junk insurance providers. While these association health plans have the potential to lower premiums, they also create the opportunity to discriminate against people in various ways including: no requirement to provide essential health benefits which could be disastrous for people with pre-existing conditions and varying premiums based on age, gender, geography and occupation. The new rule, to be administered by the Department of Labor, would unwisely take away governance from the experts in health, HHS. I am also concerned about what might be considered an "association" under the rule.