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February 9, 2018

Mr. Alexander Acosta  
Secretary of Labor  
U.S. Department of Labor  
900 Constitution Avenue NW  
Washington, D.C. 20210

Re: "Definition of Employer under Section 3(5) of ERISA-Association Health Plans"; RIN 1210-AB85 or Docket ID No. 2017-28103 (submitted electronically)

Dear Secretary Acosta:

On behalf of the 48,500 members of the Illinois REALTORS®, I would like to express our support for the proposed regulation to enable self-employed individuals to participate in Association Health Plans (AHPs). The Department of Labor's efforts are a promising step to provide more affordable health insurance options as health care costs continue to skyrocket for small business owners at the same time choices for health insurance coverage are dwindling.

While many Americans get their health coverage through their employers, most real estate agents are independent contractors, not employees of their real estate brokerage. As a result, these self-employed professionals are forced to purchase health insurance in the more volatile individual insurance market, which tends to offer fewer choices at drastically higher costs.

The rule proposes to provide more affordable choices for independent contractors by modifying the definition of "employer" to include "working owners." This is essential to enabling real estate professionals and their families to participate in an AHP in the large group market. The large group market typically offers more flexibility in insurance plan design and improved negotiating power to bargain for lower premiums – benefits that are key to driving down health care costs. The proposed rule would also protect consumers enrolling in these plans by prohibiting discrimination based on health status.

However, I would encourage the Department to reconsider the provision preventing working owners from participating in an AHP if they are eligible to participate in an employer health plan. Coverage available through a spouse's employer may not be the most affordable option for a family. Eliminating this requirement will provide more insurance choices for many real estate professionals and their families.

The need for affordable health insurance options remains a top concern among practicing real estate professionals. Allowing working owners to participate in AHPs while removing unnecessary limits could expand access to more affordable health care options for many more families.

On behalf of all Illinois REALTORS®, I urge you to finalize the proposed rule with these comments in mind. Thank you for the opportunity to weigh in on this important issue.

Sincerely,

Matthew I. Difanis  
President

