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Submitted Electronically via: www.regulations.gov

Office of Regulations and Interpretations,
Employee Benefits Security Administration
Attn: RI N 1210-AB85
Room N-5655
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, D.C. 20210

**Re: Response to the Request for Information on the Merits of a Possible “Class Exemption”
Under ERISA Section 514(b)(6)(B) (RIN 1210-AB85)**

Dear Assistant Secretary Rutledge:


On behalf of Sun Life Financial, one of the largest independent providers of stop-loss protection for employers insuring their own health plans, we appreciate the opportunity to provide the Department with our comments in regards to the Department’s proposed rule to modify the definition of an “Employer” under Section 3(5) of the Employee Retirement Income Security Act of 1974 (“ERISA”).

Our letter is in response to the Department’s request for input as to whether it should develop a class exemption under ERISA section 514(b)(6)(B) that would exempt self-insured Multiple Employer Welfare Arrangements (MEWAs) from non-solvency related state regulations. Sun Life urges the Department to create such an exemption so that MEWAs can operate under a uniform set of appropriate and reasonable rules rather than be subject to an inconsistent patchwork of state regulation.

ERISA was created to allow for the nationally uniform administration of employee benefit plans, and it is therefore appropriate for the Department to use its authority under ERISA to develop regulations that create uniform non-solvency rules for self-funded MEWAs. Creating a class exemption with a uniform set of rules would allow self-insured MEWAs to offer quality and affordable health coverage to employees located in multiple states without the difficult and complex burden of complying with non-solvency regulations that vary widely by state. Such an exemption would also result in more consumer choice and competition across the United States.

On behalf of Sun Life Financial and the 60,000 businesses that we count as our clients, we appreciate the Department's willingness to consider our comments. Please do not hesitate to reach out to me if Sun Life can provide any additional information on the self-insured or stop loss market that would be helpful to the Department.

Sincerely,



Brad Nieland
VP, Stop Loss & Health
Sun Life Financial U.S.