



March 3, 2018

The Honorable Alexander Acosta, Secretary of Labor  
U.S. Department of Labor  
Office of Regulations and Interpretations Employee Benefits Security  
Administration  
200 Constitution Avenue, NW  
Washington, DC 20210

Re: RIN 1210-AB85

Dear Mr. Secretary:

The Virginia Court Reporters Association (VCRA) is a non-profit professional association of court reporters, captioners, and CART providers in the state of Virginia. Our members provide an accurate record of legal proceedings, provide closed captions for the deaf or hard-of-hearing, and provides access to students and others with hearing disabilities in educational and other settings. The majority of these individuals are independent contractors or small business people that have a challenge finding affordable healthcare.

Small businesses constitute the backbone of our national workforce and the increasing cost of health insurance premiums, is a significant financial challenge. Certain Association Health Plans (AHPs), for membership organizations may allow associations like the VCRA to aggregate our members' workforce and leverage more advantageous insurance plans that provide a higher quality of care at a lower premium cost. With some of the proposed changes, small businesses would be able to offer more competitive benefits, allowing them to compete with large employers and competitors to retain and recruit employees. The Department of Labor's notice of proposed rulemaking has the potential to increase new health insurance options, which is greatly welcomed by VCRA, our industry and our members.

The proposed changes to the rule may provide more affordable healthcare insurance options for small businesses by modifying the definition of "employer". This is essential to enable small businesses to participate in an AHP in the large group market, rather than being forced to purchase in the more costly and volatile individual insurance market. Large group plans typically have more flexibility in

plan design and options, which offer greater negotiating power to bargain for lower premiums. These benefits of scale are key to reducing insurance premiums.

The need for affordable health insurance options remains a top concern among our practicing professionals. Allowing working owners to participate in AHPs will offer new options for health insurance coverage, providing much needed relief for the industry and to our members. We also suggest that the proposed rule not impose burdensome and unnecessary requirements on working owners or participants in the AHPs.

The Virginia Court Reporters Association understands that there are many nuances and challenges that need to be worked out with the proposed change to section 3(5) of the Employee Retirement Income Security Act (ERISA) however, that should not delay the opportunity to provide long needed relief to small businesses. Our general comments are meant to inform them Department that our industry would benefit from increased options and addressing the AHP issue is a great start.

We welcome the Department's proposed regulations since we believe that AHPs can help provide higher quality employee benefits at lower costs, especially for small employers who have fewer choices every plan year.

Virginia Court Reporters Association appreciates this opportunity to comment and are willing to assist in this effort in any way we can.

Sincerely,

Carol L. Naughton, OCR, RPR, CCR  
President – Virginia Court Reporters Association