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March 5<sup>th</sup>, 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 Dulles Area Association of REALTORS®, representing over 1,400 REALTORS® and real estate service providers in Loudoun County, VA, we support the proposed regulation to enable self-employed individuals to participate in Association Health Plans (AHPs). The Department of Labor’s effort is a promising step to providing more affordable insurance options as health care costs continue to rise while choices for coverage are steadily shrinking.

While most Americans get their health coverage through an employer, real estate agents are independent contractors, not employees of their local real estate brokerage. As a result, self-employed professionals are forced to purchase insurance in the more volatile individual insurance market, which tends to offer fewer choices at much 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, we 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.

We 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,

Christine Windle  
CEO  
Dulles Area Association of REALTORS®