



## Kentucky Farm Bureau Federation

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March 6, 2018

Office of Regulations and Interpretations  
Employee Benefits Security Administration  
Room N-5655  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

### **RE: Definition of Employer—Small Business Health Plans, RIN 1210-AB85**

Thank you for the opportunity to submit comments on the Department of Labor (DOL) Employee Benefits Security Administration proposed rule that would broaden the criteria under the Employee Retirement Income Security Act (ERISA) section 3(5) for determining when employers may join together in an employer group or association to form an Association Health Plan (AHP). The following comments are submitted on behalf of Kentucky Farm Bureau's more than 478,000 member families. Access to affordable, quality healthcare is important to all our members, but is especially important to our farming community. All too often our members are facing limited access to health care options, increasing premiums that have forced them into expensive plans with high deductibles, and limited benefits for quality healthcare.

Kentucky Farm Bureau compliments President Trump's October 12, 2017 Executive Order to promote healthcare choices and competition and we are encouraged by the Administration's effort to expand access to more affordable healthcare choices by broadening the scope of AHPs. As stated in the notice of proposed rulemaking (NPRM), allowing businesses, especially small businesses, more flexibility to form AHPs would facilitate more choice and potentially make health coverage more affordable because of the increased negotiating power an AHP would generate. Likewise, to gain that increased negotiating power, the AHP must have a large membership base and the definition of employer must be broad enough to avoid limiting participation.

The agricultural industry is very diverse with many forms of livestock, aquatic, forestry and crop production. While diverse, it is ultimately all agriculture. We

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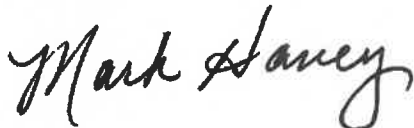
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encourage the broadest consideration be given to the definition of agriculture as the Administration moves to define which employers may be able to participate in various AHPs. Crop producers may produce corn this year, but rotate to wheat and soybean production next year, and a dairy operation may also produce beef as well as grain crops. Specialty crop production may include fruits and vegetables this year, and expand to offer landscape plants in the future. The commonality is agriculture. Also, agriculture is not limited to a specific state or region, as many areas of the United States produce the same commodities.

Kentucky Farm Bureau urges DOL to recognize the diversity, but also the common interests, that agricultural producers across the country possess as this rule is finalized. We ask DOL to avoid limiting the definition to specific commodities, but rather allow AHPs to be formed based on the common interests of agriculture to best serve farmers and ranchers across America. We also ask DOL to not limit AHPs to specific geographic areas, but allow the common interests of agriculture to unite throughout the United States to enhance participation and increase the risk pool represented, thereby increasing the negotiating power of the AHP to secure the best possible healthcare options, at the most competitive prices possible.

Association Health Plans have the potential to provide farmers and ranchers across rural America an enhanced opportunity to improve access to better healthcare options at a much more affordable cost. We support greater access to AHPs, and thank the Administration for efforts to expand access. Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink that reads "Mark Haney". The signature is written in a cursive, flowing style.

Mark Haney  
President