

From: [Casey Sanders](#)
To: [E-OHPSCA2715.EBSA](#)
Subject: PHS Act Notice of Proposed Rulemaking comment
Date: Friday, August 19, 2011 2:31:06 PM

I have a comment regarding the Summary of Benefits and Coverage and the Uniform Glossary notice of proposed rulemaking (Department of Labor RIN 1210-AB52).

As an insurance broker in Missouri, I am a little concerned about the Notice of Modifications guidance as proposed by Section 2715(d)(4) of PHS Act. It refers to notifying policyholders or enrollees at least 60 days in advanced of any material change in benefits. Most insurance carriers in our market place release the renewal rates and proposed policy changes to small employers about 60 days in advance to clients and brokers. That gives the employer about 30 days to determine which plan they would like to offer for the next plan year or to shop for other coverage so they can still notify their employees 30 days in advanced to the final changes to take place.

Is the new rule to take effect 2012 stating that an employer has to give it's employees enrolled in their group health plan 60 days' notice of any changes or the insurance company must give employers 60 days' notice of proposed changes?

If employers have to give employees 60 days' notice insurance companies will have to release the proposed renewal at least 120 days in advanced of the companies renewal date to allow a small employer the time to make the best decision for their employees and business before notifying their employees 60 days in advance.

30 days in advance in much more realistic based on the current market rules. Further, I would assume it would be an undue burden on health insurance carriers to release a renewal 120 days in advance of the renewal date because that would not give them significant enough data on members utilization for the plan year to accurately price their health plan.

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