



Nebraska REALTORS® Association

The Voice for Real Estate in Nebraska

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Vision: The Nebraska REALTORS® Association is the leading voice for real estate in Nebraska, providing a professional environment for all our members.

3/6/2018

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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:

The Nebraska REALTORS® Association represents 4700 licensed real estate agents across Nebraska. As self-employed individuals, it is often difficult for real estate professionals to find affordable health care coverage when costs are continually rising and insurance options are diminishing. The Department of Labor's notice of proposed rulemaking has the potential to increase health insurance options, which is greatly welcomed by real estate professionals and their families.

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 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 offer greater negotiating power to bargain for lower premiums – benefits that are key to reducing health care costs. The rule would also protect consumers enrolling in these plans by prohibiting discrimination based on health status.

However, the proposed rule includes provisions that may restrict many self-employed persons from seeking more affordable insurance in an AHP. For example, working owners are excluded from eligibility if they have an offer of coverage from a spouse's employer subsidized group 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 will offer new options for health insurance coverage, providing much needed relief that will support the real estate industry as a whole. Ensuring the proposed rule does not impose burdensome, unnecessary requirements on working owners is also essential. Thank you for the opportunity to comment on this proposed rule. I have attached a letter from a member outlining their challenges acquiring health insurance in Nebraska.

Sincerely,

Herb Freeman, President
Nebraska REALTORS® Association
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REALTOR® is a registered collective membership mark which may be used only by real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics.



March 1, 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:

As a Realtor of 35 years, a long term Member in good standing with both the National Association of REALTORS® and the Nebraska Realtors Association and as such a self-employed individual, it is very difficult and burdensome for myself and others in my field of real estate professionals to find affordable health care coverage when costs are continually rising and insurance options are diminishing, I am down to one choice! Many of my colleges have chosen not to carry health insurance because of the burden to their family's budget. The Department of Labor's notice of proposed rulemaking has the potential to increase health insurance options, which is greatly welcomed and quite frankly desperately needed by real estate professionals and our families.

My one and only option for health insurance will cost my family, which is made up of myself, my wife and son.....\$1600 per month, with a \$10,000 deductible per occurrence and 80/20 thereafter. God forbid anyone of us gets sick or hurt. I have one college that is paying \$2300 per month for similar coverage. Prior to the affordable care act we were paying \$750 per month with a \$5000 deductible and 90/10 thereafter.

The rule proposes to provide more affordable choices for independent contractors by modifying the definition of "employer" to include "working owners" , or those of us who are by IRS definition 1099 "self-employed". This is essential to enabling real estate professionals and others like us 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 offer greater negotiating power to bargain for lower premiums – benefits that are key to reducing health care costs. The rule would also protect consumers enrolling in these plans by prohibiting discrimination based on health status.

However, the proposed rule includes provisions that may restrict many self-employed persons from seeking more affordable insurance in an AHP. For example, working owners are excluded from eligibility if they have an offer of coverage from a spouse's employer subsidized group 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 major concern among my colleges' and I as 1099 practicing real estate professionals. Allowing working owners to participate in AHPs will offer new options for health insurance coverage, providing much needed relief that will support the real estate industry as a whole. Ensuring the proposed rule does not impose burdensome, unnecessary requirements on working owners is also essential. Thank you for the opportunity to comment on this proposed rule.

The system works best when there is competition in the market, I see this every day in the real estate field. Those of us that are good at our trade, that know how to give the best services and quality care at a competitive price stay in business and do well....this is no different than in the insurance world but when you eliminate choices and options, then we get crushed as consumers. Please do the right thing and allow associations of working owners to provide group insurance plans.

Sincerely,

W. Black