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Definition of Employer Under Section 3(5) of ERISA-Association Health Plans

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General Comment

Hello,

I wanted to comment on the AHP initiative for the positive. I've been an independent contractor and a Realtor member since 2003. I do believe the AHP concept would benefit industries like ours and allow us to group together to be able to realize the same opportunities as large employers. This just makes sense and probably should have been done long ago. For independent contractors and small businesses healthcare insurance is one of the largest areas of cost that continues to go up. I think this would allow more growth to occur as it will potentially put more money back into the pockets of the small businesses and they will hire and be more productive. Bottom line, this is a very good thing to explore and I encourage you all to move forward on this initiative. I think the other aspect is that in real estate we act as independent contractors most of the time so the classification of "Employee" may be a bit counter to the actual status of the associate. In other words if a Realtor working for a Broker has an independent contractor agreement in place and is considered an independent contractor for tax accounting purposes they are not technically an "employee". Maybe the sub-classification and definition of Employer here could be Association Members which identifies the larger associated organization as the "Employer" in our case the National Association of Realtors would be the larger pooled association entity and those that are members of that entity fall into the pool but are not technically classified as employee's because most are independent contractors anyway. Just food

for thought. In any case, the more choices we have to either pool together or go individual the better in my mind.