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February 23, 2018

ATTN: RIN 1210-AB85  
Office of Regulations and Interpretations  
Employee Benefits Security Administration  
Room N-5655, U.S. Department of Labor  
200 Constitution Avenue NW, Washington, DC 20210

Established in 1946, the Plano Chamber membership consists of 1,200 businesses and community organizations, representing over 165,000 employees, in Plano and the surrounding area. The Plano Chamber of Commerce is committed to maximizing business development and economic growth of the community through advocacy, education, innovation, and collaboration. We are organized under IRS Code section 501 (c) (6) as a trade organization.

We are encouraged by the Department's efforts to allow associations of all types to provide health insurance to members through AHPs. Small businesses make up over 60% of our membership. We also have an extremely competitive job market with large employers such as Dr. Pepper/ Snapple, Frito-Lay, Toyota North America, and JP Morgan Chase. In order for small business to retain and attract talent, they have to offer a competitive benefits program in this market. We continually hear about the challenges they face in securing a health plan that fits their employee needs and be affordable.

AHPs allow membership organizations to aggregate the workforce of our businesses and take advantage of flexibility and lower costs that are currently only available to large employers. Small businesses could thus offer more competitive benefits and compete with larger companies for good talent.

Taking on the task of forming an association health plan for any organization is no small feat. Associations will and should only develop programs if they can properly support them and only if a strong insurance product can be offered. Some believe that associations are not capable of providing this type of service, but we would disagree. Established, mission-driven organizations will not want to jeopardize their reputations and members' trust by offering a substandard product or service. We appreciate the opportunity to provide some feedback on a few key points:

"The Plano Chamber of Commerce is committed to maximizing business development and economic growth of the community through advocacy, education, innovation, and collaboration."

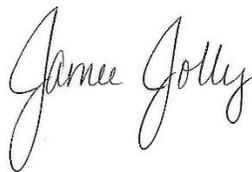
- The definition of “association” in the proposal should not be limited to those organizations that have employees. The proposed regulation should be further clarified to allow the employees of association members to join an AHP offered by the association. The proposed regulation could also allow employee-members of the organization to join of their own accord, regardless of employee status. The regulation should also allow for a membership organization to form a subsidiary for the purposes of offering a plan.
- State health insurance laws and regulations must be carefully considered. We understand that for an AHP to be successful it must be adequately capitalized and maintain a reserve. It may make sense to allow the home state of the AHP to regulate the AHPs capitalization and reserve requirements. Single state control will provide the effective and predictable regulatory requirements for these plans to thrive and better serve the customer.
- Restrictions preventing associations to form that do not have a membership nexus should be considered. In the past, this has been a concern and “bad actors” have come into the market and were inadequately funded and refused to pay claims. There are a myriad of options on how to better define a legitimate, established association. The American Society of Association Executives offered up numerous suggestions in their letter to this organization. We recommend a minimum number of years (at least 5 years) that the association has been established, as well as IRS—approval as a nonprofit entity.

In conclusion, as an association that supports a vibrant and growing business community, AHPs are a tool that would allow our small business members to be more competitive in the job market by providing insurance options to their workforce. We understand the need for regulation to prevent abuse since we believe that AHPs will open up the opportunity for better employee benefits at a lower cost. Thank you for the opportunity to comment.

Sincerely,



Jeff Beckley  
2018 Board Chair



Jamee Jolly, CAE  
Plano Chamber President/CEO

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