



February 21, 2018

Mr. Alexander Acosta, Secretary of Labor
U.S. Department of Labor
900 Constitution Avenue NW
Washington, D.C. 20210
(Submitted Electronically)

Re: "Definition of Employer under Section 3(5) of ERISA-Association Health Plans"; RIN 1210-AB85 or Docket ID No. 2017-28103

Dear Secretary Acosta:

The Arizona Association of REALTORS® represents approximately 50,000 members. 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. Currently members are paying between \$995 to \$1,200 a month for a Blue Cross PPO plan. 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.

Sincerely,

K. Michelle Lind, Esq.



Chief Executive Officer

Lori Doerfler



2018 President