

Organization Name: Glacier Construction Services, Inc.

I am writing today on behalf of Glacier Construction Services, Inc. to express concerns about the proposed EBSA-2018-0001. My company currently obtains health coverage through an AHP. Association Health Plans offer small and medium sized businesses a way to offer compressive and affordable benefits to their employees. Being able to provide these benefits are crucial as it allows companies to compete for talent.

While the Department's proposed rule aims to expand AHPs, there are several provisions that will deteriorate markets where AHPs currently have been operating and provide an uneven marketplace that would ultimately discourage the successful expansion of AHPs.

The Department needs to ensure that the following is represented in the final rule:

- 1) Ensure that pre-existing conditions can't allow insurance companies to deny claims
- 2) Prevent fraud and abuse that likely will arise if regulations are loosened around who can offer these products by requiring only membership organizations that have been in existence for at least 5 years to sponsor AHPs. Additionally, all such organizations should be required to have an active tax-exempt status.
- 3) Ensure that there is ample time for implementation (When there are regulatory changes, Insurance companies inflate prices due to "unknowns"), by making the effective date 2020 or later.
- 4) Allow for organizations to include, at their discretion, sole-proprietors or working owners
- 5) HIPAA non-discrimination rules need to be in place that are favorable to small-businesses, including allowing rate setting at the employer-level using claims cost.