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March 6, 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:

The Greater Lehigh Valley REALTORS® represents 2500 across Carbon, Lehigh and Northampton Counties in Pennsylvania. 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.

Please find attached some personal accounts that highlight this epidemic that plagues around 20-30% of our membership.

Sincerely,

A handwritten signature in blue ink that reads "Justin R. Poremba".

Justin R. Poremba,
CEO GLVR

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

Dear Secretary Acosta,

I wanted to give my personal story on how our modern-day health care has personally affected me as a Realtor®.

Up until 2016 my family was covered under my wife's health care plan through her employer, Sodexo. My 9-year-old daughter then began to develop ticks and was diagnosed with social anxiety and some learning disabilities. This hampered her ability to make friends and to concentrate in school.

As parents, we had to make a decision that any parent would have made. My wife would leave her job as a diabetic educator and stay home with our daughter to help her through her challenges. And, as a full-time Realtor®, I would purchase private health insurance.

While losing my wife's income was difficult, paying \$21,600 in 2016 for health care premiums, plus an additional \$10,400 because the insurance we purchased had such high deductibles, the situation was made much worse. With \$32,000 in health insurance costs (for only one year), it quickly became a reality that either I'd have to get another job or my wife would again have to work full time.

In 2017 we decided that my wife would work part time. She gained employment as an adjunct professor at , where she teaches Nutrition to nursing students. Also, in 2017, my 18-year-old son started his college education at D.C., through which we purchased insurance for him. We also had to start paying my elderly mother-in-law's health insurance premiums.

Our premiums and out-of-pocket expenses in 2017 reached another \$30,000+, which we were able to lower by selecting a plan that has a \$10,000 deductible. On top of that, we have a college tuition for my son totaling \$45,500 per year.

I write this letter today with a tearful eye, as I feel like I am left with three options:

1. Drop my insurance and pray that no one in my family has anything major happen to them so we can care for my daughter and support my son's education.
2. Have my wife go back to work full time in order to obtain health care benefits, thus turning a blind eye to my daughter's needs.
3. Or fight like hell to do anything in my power to find a way to lower my premiums so that it is affordable to buy health insurance, to care for my family, and to continue doing what I was born to do – help Americans realize the dream of homeownership.

In closing, I ask that your office support self-employed, independent contractors and middle class families who have been severely affected by Obamacare.

Sincerely,

S LaSalle

Justin Poremba

From: J Drake
Sent: Tuesday, February 20, 2018 12:53 PM
To: Justin Poremba
Subject: Health Insurance Concerns

Hello Justin,

I saw your request for examples of insurance issues and felt compelled to write you. I have been an independent contractor (1099-misc) as a manufacturer's representative for 25 years. I became a realtor about 16 months ago but the struggle for health insurance is the same. I used to use an insurance broker to find the best policy for myself and my family (wife and 3 kids). The insurance companies no longer pay brokers a commission, so they charge \$200 upfront if you want them to do the shopping for you. The market has really deteriorated over the past few years. I have search the .gov marketplace and I have gone and sat down at a Capital Blue Cross office to find out what options there are for me. Two years ago, I used Capital Blue Cross and my premium was roughly \$1164 per month. My co-pays were \$25 and \$60, and my family deductible was about \$9000. Last year, they raised my rate to \$1377 with \$30 and \$80 copays, and a whopping 15,000 deductible. This was an HMO. I would go to the doctor for a routine visit and the person checking me in would say "you know your co-pay is the highest I've ever seen?" This past year I paid \$1664 per month for the same terrible policy.

In 2018, they wanted to raise my premium to \$2150 !!!! I abandoned the policy and now have 3 policies to cover my family. My oldest daughter is 18 so I signed her up for the marketplace policy - \$378 month with a 7,500 deductible. My wife and two kids are on another policy that I don't fully understand - they pay about \$500 month for minor insurance coverage plus a rider that allows them to escalate their coverage if they need something major. I have a similar policy for about \$400 (my pre-existing bad knee wouldn't allow me to be on my wife's policy). So I know have 3 policies to cover my family. And I really have no idea if the insurance I have is any good. But I guess the good news is I'm only paying \$1300 per month! These policies do not meet Obama Care's minimum coverage requirement. The current administration is trying to do away with that but if it kicks in, I will have a tax penalty of about \$2700 next year.

It's a complete mess. I'd be better off just paying my doctor bills in cash! Any help the association could bring would be greatly appreciated.

Best regards,

J Drake

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Justin Poremba

From: C Haber
Sent: Thursday, February 15, 2018 7:36 PM
To: Justin Poremba
Subject: Health Insurance Issues

I am a self employed Associate Broker and Certified Residential Appraiser. I don't qualify for any subsidies thru the Healthcare.gov program and have to purchase individual health care coverage for both my husband and myself (both of us are self employed).

Last year I was able to get an individual plan with Aetna - it was a LOW Coverage plan and the premium was approx \$1670 month. (less than what I could get on the government health care marketplace).

AETNA sent us a letter in October of 2017 stating they no longer will be providing individual coverage. So, for 2018 we had to go back to the Healthcare.gov Market place to find a provided -

1 provider available - and with the LOWEST POSSIBLE PREMIUM OF \$2332+/- per month - a \$662/mo INCREASE for the LOWEST COVERAGE PLAN and LOWEST PREMIUM.

This is ABOVE what we actually pay for our home's mortgage! It is totally crazy -we pay \$28,000 A YEAR we have a family DEDUCTIBLE of \$13,000 - and this is the cheapest plan and we barely can afford it.

We really don't go to the doctors because basically, we can't afford pay out of pocket until we come up with another \$6500 per person or \$13,000 combined to cover our deductible. We just hope & pray that we don't get sick.

We have no 401k or other retirement plan, no disability insurance or coverage for sick days.....when work is slow we won't be able to pay this premium. I feel like we are victims to the insurance companies.

I wish there were other options for health care coverage because as soon as business slows down we will not be able to make these premiums.

Thank you for your interest in trying to find a solution for self-employed members in the Real Estate Business.

C Haber

Justin Poremba

From: F Mastroianni
Sent: Thursday, February 15, 2018 10:17 AM
To: Justin Poremba
Subject: My health coverage

I saw you were looking for examples to help in this area.

I am the main income source for my family so therefore I need to purchase a health plan that covers myself, my wife, my 1 and a half year old and the baby that is due next month.

The plan options are awful for me as a 1099. I am forced to take a plan with such a high single and family deductible to keep the premium down per month. This year already, I had to have my appendix removed and we are having a baby in March. We are looking at being out of pocket already by March close to \$14,000 and we still have not met our deductible.

Really hoping for something to change!

Thank you for your time,

F: **Mastroianni REAITOR**

Justin Poremba

From: B Miller
Sent: Thursday, February 15, 2018 4:58 PM
To: Justin Poremba
Subject: Health Insurance Problems

Hi Justin,

I was very excited to see the news alert about PAR requesting Realtor issues with health care. I have researched getting health care through the "Affordable" care act but given that the cheapest plan I could have gotten for 2018 would have been around \$700/month with an \$8000 deductible, I decided to pass yet again. Ironically I was a big supporter of the ACA when it was first announced however once implemented, it was obvious it did not account for the needs of independent contractors or self-employed people.

I have been battling lower back issues for the last few years but was always able to cope with it. Over the last year or so, the pain was moving more into my right hip and progressively getting worse. Just this week I finally got an x-ray and it confirmed what I had feared. The joint is severely arthritic and other than replacement, there's little that can be done to make it better. At this point I'm just hoping and praying that the pain does not continue to get worse because as of now it's right at the threshold of tolerable. My biggest fear is that it will get to a point where I am no longer able to effectively function as an agent and should that happen, I have no clue what I'm going to do since I can't imagine any employer hiring me in my current condition. I've even thought about Social Security disability but dread the thought because I know I'll lose my mind sitting around with nothing to do all day.

Overall health care in this country is a disaster and while single payer is the solution, I don't see it happening, at least in my lifetime. If nothing else, hopefully this proposed change would allow NAR and or PAR offer plans at group rates which would open up options to the countless other Realtors facing the same challenges as I.

Thanks for listening to my rant and please let me know if there's anything else I can do to help this cause.

B

B Miller

Justin Poremba

From: R Sciascia
Sent: Monday, February 26, 2018 12:15 PM
To: Justin Poremba
Subject: examples of health insurance situations

Justin,

My wife had a small 7mm breast cancer tumor removed 9 years ago. The cancer never came back, but my Freedom Life and Health Insurance plan will not accept her due to this pre existing condition.

Freedom Health Insurance for myself and two kids is a reasonable price of \$655 per month.

Unfortunately my wife's Obamacare insurance is \$1250 per month, with \$6,000 deductible and \$14,000 max out of pocket. I make over the limit, so there are no subsidies available for my family.

I am tapping \$1,000 per month from retirement accounts to pay her insurance and will need to refinance my house to keep paying this terrible high price.

Obamacare is destroying many middle class families. Please do your best to change the rules and provide a reasonable plan for realtors and their families.

Thanks,
B Sciascia