

**From:** [Jose Berenguer III](#)  
**To:** [E-OHPSCA-ER.EBSA](#)  
**Subject:** Fwd: Comment Question  
**Date:** Tuesday, February 14, 2012 9:30:36 AM

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> The premium paid is a deductible business expense. Would penalty under 4980H for lack of coverage or for employees going to exchange be deductible?

> It seems that the 4980H penalty/payment shouldn't be deductible in order to incentivize employers to purchase health insurance....otherwise the penalty may be less than the cost of insuring the employees.....

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> JOSE M. BERENGUER, III

> Sent from my iPad

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