

From: [Kathy Williamson](#)
To: [E-OHPSCA-ER.EBSA](#)
Subject: Affordable Care Act - employer comments
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To Whom It May Concern,

I have recently heard that the IRS, in conjunction with the HHS and the EBSA, has issued a notice containing frequently-asked questions and answers with regard to the Patient Protection and Affordable Care Act's (ACA's) provisions. I understand the notice identifies various approaches under consideration for future regulations and other guidance and that all three departments are seeking comments on those approaches.

Therefore, I would like for you to consider the following comments and suggestions when implementing future regulation or other guidance:

- Moving forward with amending legislation so that when determining affordability of employer coverage, we will need only look at employee income. Keeping in mind an employer's desire and reasonable ability to comply with requirements, whereas, current language is not feasible since employer's do not have knowledge of employee's household income level.
- Dropping all penalties for employers offering a "Cadillac Plan". Although most plans currently do not fall in this category, it is anticipated that with the rising cost of healthcare, most plans will be in this category by the year 2018. It strikes me as completely wrong to penalize employers for providing benefits that show a genuine interest and care for their employees and families. I cannot grasp why America's leaders would punish employers with penalties for maintaining a quality health care plan for their employees and families.
- Allowing automatic enrollment to all employers who provide **employee coverage at no premium cost to the employee.** If an employee chooses to opt out, no penalties should be assessed to the employer, as long as the plan offered at least the essential benefits as mandated by law.
- Setting waiting period limitations that are reasonable when defining full-time employment, considering positions that may be temporary in nature, such as interns, seasonal, etc.

Thank you for your time and consideration in reviewing my comments. If you have questions or would like further comment, please feel free to contact me.

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