



What the Experts Say about the Labor Department's Proposed Rule to Expand Association Health Plans

Under the rule, many workers and small businesses will be left out in the cold – with more expensive coverage and less generous benefits. That is why consumer groups, advocacy groups, and others are concerned about the Department of Labor's proposed rule to expand AHPs that would roll back the ACA's essential health benefits and other consumer protections.

Small Business Majority

"We believe the proposed changes will result in disruptions in the small group market by creating separate risk pools for some employers, which would have the unintended consequence of raising premiums for other small businesses."

American Public Health Association

"By increasing access to association health plans, which would not be required to provide consumer protections of the Affordable Care Act, the proposed regulation would reduce access to care and harm the health of millions of people with pre-existing conditions."

*Coalition of Health Groups, Advocates & Associations

"We are extremely concerned that the proposed regulation will once again leave consumers with insufficient coverage, unpaid medical bills, and lifelong health implications – just as AHPs did before the Affordable Care Act (ACA) provided more oversight and protection."

Consumers Union

"AHPs are characterized by a legacy of failure, so much so that over a decade ago, our organization warned readers to be wary of AHPs, as many were 'bogus health insurance plans [that] left tens of thousands of people without coverage and millions in unpaid medical bills.'"

American Society of Addiction Medicine

"Given the scale of the opioid epidemic, it is vitally important that policymakers and regulators remove [such] barriers to treatment of addiction. However, ASAM is concerned that this proposed rule would actually increase barriers to affordable health insurance and consequently, access to treatment of addiction."

* Letter signed by: American College of Obstetricians and Gynecologists, American College of Physicians, American Muslim Health Professionals, Association for Community Affiliated Plans, Association of Reproductive Health Professionals, Autism Speaks, Autistic Self Advocacy Network, Center for Public Policy Priorities, Children's Defense Fund – Texas, Coastal Bend Center for Independent Living, Colorado Children's Campaign, Colorado Consumer Health Initiative, Community Catalyst, Consumers for Quality Care, Easterseals Central Texas, Families USA, Health Action New Mexico, HealthyWomen, Hypertrophic Cardiomyopathy Association, Justice in Aging, Lupus Foundation of America, Mental Health Colorado, NASW-TX, National Asian Pacific American Women's Forum (NAPAWF), National Association of Social Workers, National Consumers League, National Education Association, National Institute for Reproductive Health (NIRH), National Latina Institute for Reproductive Health, National Partnership for Women & Families, National Women's Law Center, Out2Enroll, Physicians for Reproductive Health, Planned Parenthood Federation of America, San Francisco AIDS Foundation, South Carolina Appleseed Legal Justice Center, Stahlman Disability Consulting, LLC, The AIDS Institute, The Sargent Shriver National Center on Poverty Law, Together Colorado, Universal Health Care Action Network of Ohio, Utah Health Policy Project, West Virginians for Affordable Health Care, Young Invincibles

[National Council for Behavioral Health](#)

“The National Council strongly believes the proposed changes would negatively impact American’s access to quality and affordable health care, further widen the coverage gap of mental health and addiction services in our country’s health care market and ultimately disrupt the individual and small business marketplace.”

[American Medical Association](#)

“. . . DOL’s proposal does not maintain key consumer protections and does not meet the AMA’s key principles on health system reform . . . and would result in substandard health insurance coverage.”

[America’s Health Insurance Plans](#)

“We have serious concerns about many aspects of the NPRM and the effect a similarly-constructed final rule would have on the stability of health insurance markets nationwide and, above all, consumers.”

[Federation of American Hospitals](#)

“If finalized, the rule would . . . provide incentives for plans to reduce the generosity of health care benefits jeopardizing affordable access to meaningful coverage for those individuals who need health care the most.”

[National Partnership for Women & Families](#)

“The proposed rule will weaken the individual and small group markets that are critical sources of coverage for women and families, millions of whom have pre-existing health conditions.”

[Alliance of Community Health Plans](#)

“The proposed rule would create an uneven, two-tiered regulatory environment for health coverage that could destabilize individual and small group health insurance markets.”

[American Cancer Society Cancer Action Network](#)

“The proposed rule could seriously erode the affordable comprehensive coverage now available in most states’ individual and small group markets that is so critical to cancer patients and survivors.”

[AARP](#)

“[T]he proposed rule’s expansion of AHPs could . . . greatly increase the likelihood that working Americans, especially those age 50-64, would face higher insurance premiums and loss of access to critical health insurance coverage.”

[March of Dimes](#)

“The March of Dimes has significant concerns about the impact that the Department’s proposed rule on association health plans (AHPs) will have on pregnant women and infants. . . [AHPs] frequently do not adhere to important standards, including financial protections and coverage for essential health benefits (EHBs), which are critical in ensuring that pregnant women can access the care they need to have healthy pregnancies and give birth to healthy infants.”

American Hospital Association

“. . . [W]e are concerned that this rule fails to protect against discriminatory insurance practices and could contribute to instability in the individual and small group market, ultimately decreasing access to affordable coverage.”

American Lung Association

“. . . [ALA principles state that] any changes to the healthcare system must achieve healthcare that is affordable, accessible and adequate for patients. Unfortunately, the proposed rule on AHPs would jeopardize access to healthcare that is affordable, accessible and adequate for lung disease patients.”

American Academy of Pediatrics

“The Proposed Rule could leave children, particularly children with serious, chronic, or complex medical needs, with less comprehensive coverage and higher out-of-pocket costs.”

Coalition Against Insurance Fraud

“. . . [under the rule] small businesses and their workers will face a large and intolerable risk of fraud.”

American Nurses Association

“The proposed rule provides the tools for AHPs to “cherry pick” the best risk populations from the individual and small group markets for insurance. By enrolling only populations with the healthiest risk profiles, it leaves traditional individual and small group markets in peril of instability and escalating cost.”

American Academy of Family Physicians

“We are very concerned since allowing small employers to buy low-cost health insurance plans through AHPs is a step away from important and needed consumer protections under the ACA. The AAFP strongly supports the goal of providing robust access to affordable health care coverage for all Americans, but AHPs move us further away from that goal.”

Association of American Medical Colleges

“The AAMC is concerned that the proposal to exempt association health plans (AHPs) from individual and small group market regulations will allow AHPs to offer less comprehensive insurance products; segment the insurance market, leading to de-stabilization and premium increases for sicker individuals; leave patients with inferior health insurance coverage, potentially limiting access to care; and, leave providers who treat these patients either underpaid or not paid at all.”

AFL-CIO

“We are deeply concerned that the proposed rule will expose millions of working people to losses from AHPs due to financial mismanagement and fraud.”

Robert Wood Johnson Foundation

“This proposed rule could significantly impact the individual and small group health insurance markets, by permitting the segmentation of healthier individuals and groups into lower cost plans, which could increase costs and reduce access to coverage options for those left behind.”