

MODEL OP-ED:
REALTORS SEARCH FOR AHP SOLUTIONS
XXXXXX, REALTOR ASSOCIATION PRESIDENT

[State/City] [Number of Members] Realtors® should have access to comprehensive, lower-cost health insurance options through Association Health Plans (AHPs) just like large employers

In 2018, the U.S. Department of Labor issued a new regulation opening the door for small employers and self-employed individuals, including Realtors®, to join AHPs. Yet some states are suing to overturn the regulation and keep small businesses locked in more limited, higher cost individual insurance markets, and a lower court in Washington, DC, recently sided with these states.

That's not right.

AHPs enable employers to band together to increase their bargaining power with insurance companies and take advantage of economies of scale, which help keep cost down and improve access to care for plan participants and their families.

Realtors® are small businesses in the truest sense, forming entities of just one person – acting as both employer and employee. They are small businesses of one, and we see no reason make a distinction between large and small employers, and the self-employed.

Since the DOL announcement, the [state/local AOR] has been focused on ensuring this change can indeed spur positive results for our members. And we remain committed to vigorously engaging insurers and regulators to reach that goal.

However, various legal challenges remain in our way.

A dozen state attorneys general filed suit against the DOL's expansion of association health plans in an effort to keep those impacted locked in their own, higher-cost state individual and small-group insurance markets. Unfortunately, a D.C. District Court judge has sided with these states, which is now being appealed and unlikely to be resolved in the next year..

Today, because of this disparity, we have a significantly fragmented regulatory environment. Many state insurance departments are taking a “wait and see” approach and have not provided guidance on how AHP options will be treated by the state in light of the ruling. The result has left insurers apprehensive to offer an AHP option in some states while freezing efforts to offer an option in other states.

The State Legislature can do something about this. If the members were to come together in order to pass legislation codifying the essence of the DOL regulations into state law that expand access to AHPs to self-employed individuals, insurers would have legal certainty and [insert number of local/state REALTORS] and their families could finally gain an affordable health insurance option.

Don't let a federal judge tell our state that Washington, DC, knows what health coverage is best for us. We ask the State Legislature to intervene and ensure, once and for all, that small businesses and families deserve access to their choice of affordable health insurance.

Regardless of the ongoing potential barriers and uncertainty, the [state/local AOR] is excited at the prospect of new insurance plan options for the [name of state/county and number of members] Realtors® and their families. We will continue to work to protect the interests of self-employed Americans and small employers while preserving the new flexibility provided by the final rule.

XXXXX, a REALTOR® from XXX county, is the XXXXX President of the XXXX. S/he is the Broker for [Name of Brokerage] in [City] and has been a REALTOR® for YY years.