NAR Issue Summaries

Insurance / Health Insurance Reform

NAR Committee:

Insurance Committee

What is the fundamental issue?

Congress should provide high-quality, low-cost health coverage options for small businesses and self employed individuals, including real estate professionals.

I am a real estate professional. What does this mean for my business?

Small businesses and self-employed individuals, including real estate professionals, often face significant financial challenges when purchasing health insurance or accessing medical care. While the Affordable Care Act (ACA) made important strides in reforming insurance underwriting and rating practices, rising health care costs, high deductibles, and narrow provider networks remain major concerns.

NAR Policy:

NAR supports policies that expand access to affordable, high-quality health coverage, promote consumer choice, and ensure a cost-effective, sustainable system.

Opposition Arguments:

Opponents of federal efforts to address health insurance reforms believe that insurance is the rightful purview of state governments. Since the passage of the McCarren-Ferguson Act, state governments have had the responsibility for insurance market regulation.

Legislative/Regulatory Status/Outlook

For decades, NAR has advocated for health insurance reforms to support self-employed individuals and small employers, including Small Business Health Options Plans (SHOP), Small Business Health Plans (SBHPs), and Association Health Plans (AHPs).

Affordable Care Act (ACA)

Before the ACA, NAR surveys showed that 28–33% of REALTORS® were uninsured. The ACA significantly improved access to health insurance by reforming underwriting and rating practices. Insurers can no longer deny coverage based on health status, preexisting conditions, age, gender, occupation, or past claims. Pricing is now limited to factors such as location, age, number of covered individuals, coverage level, and tobacco use.

While the ACA expanded coverage, 10–15% of NAR members remain uninsured, and challenges like high

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deductibles and narrow provider networks persist. NAR continues to support maintaining key ACA protections as part of broader healthcare reform efforts.

Association Health Plans (AHPs)

NAR supports the Association Health Plans (AHP) Act (H.R. 2528 / S. 1847), which would provide affordable, high-quality options for small employers and self-employed individuals, including real estate professionals, in addition to ACA plans.

On August 11, 2026, the Department of Labor (DOL) sent a proposed rule to the White House for review that could revisit whether self-employed individuals may participate in AHPs. The proposal is expected to be released for public comment this fall. NAR has met with DOL, Department of Health and Human Services, and White House officials to urge that the rule include a workable, durable pathway to AHPs for real estate professionals.

NAR will continue to pursue every avenue to provide more affordable, high-quality health coverage options for real estate professionals.

Timeline of NAR's AHP advocacy:

- **June 21, 2018:** Department of Labor expanded the definition of "employer" under ERISA to include self-employed individuals and small employers in AHPs. NAR supported the rule.
- **March 28, 2019:** A federal court ruled parts of the rule unlawful, including the "working owner" provision. The Department of Labor appealed.
- **November 14, 2019:** The D.C. Circuit Court heard the appeal. NAR supported it, but the Biden administration later withdrew the appeal.
- **April 29, 2024:** Department of Labor rescinded the 2018 AHP rule. NAR opposed the rescission and submitted comments highlighting the value of AHPs for small businesses and self-employed individuals.
- **June 25, 2025:** House Education and Workforce Committee voted on party lines to report the AHP Act (H.R. 2528), now awaiting full House consideration.
- **May 21, 2025:** Companion bill S. 1847 introduced in the Senate and referred to the HELP Committee.
- **December 18, 2025:** The House of Representatives approved H.R. 6703, the Lower Health Care Premiums for All Americans Act, which includes the AHP Act. Next, the bill heads to the U.S. Senate for consideration.

Current Legislation/Regulation (bill number or regulation)

US HR 2528: Association Health Plans Act

US S. 1847: Association Health Plans Act

US HR 6703: Lower Health Care Premiums for All Americans Act

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