

NFIB HEALTHCARE UPDATE

October 17, 2018



LEGISLATIVE UPDATE



What healthcare bills did Congress fail to pass?

- Repeal & replace
- Market stabilization efforts
 - ü Fund individual market cost-sharing reductions (CSRs)
 - ü Expand state innovation waivers (Section 1332 waivers)
 - ü Provide federal funding for state reinsurance programs
- What remains?
 - ü Employer mandate
 - ü Insurance product requirements

What healthcare bills did Congress pass?

- Repeal of the individual mandate penalty (beginning in 2019)
- Delay of the Cadillac tax (until 2022)
- Suspension of small business health insurance tax (for 2019)

REGULATORY UPDATE



What has the Administration done?

- Respond to legal challenges
- Expand hardship exemptions from individual mandate (for 2018)
- Issue Executive Order Promoting Healthcare Choice and Competition Across the United States
 - ü Expand Association Health Plans (AHPs)
 - ü Expand Short-Term Limited Duration (STLD) Plans
 - ü Expand Health Reimbursement Arrangements (HRAs)

STATE UPDATE



How have State policymakers reacted?

- Attorneys' General Legal Challenges
 - ü Pro-ACA States – Against AHPs
 - ü Anti-ACA States – Nullification challenge
- State Legislation
 - ü Pro-ACA States – Market stabilization efforts, Medicaid expansion
 - ü Anti-ACA States – Codify AHPs
- Regulatory Efforts
 - ü Anti-ACA States – Limit STLD plans duration, require additional mandates on AHPs

MARKET UPDATE



What is the impact on insurance markets?

- Nationally
 - ü Individual market – Modest premiums decreases
 - ü Small group market – Premium increases

- States
 - ü Premiums depend on the state market conditions and specific plans

Important Dates

- October 3 – Extended STLD plans available (no open enrollment)
- November 1 – Open enrollment in individual market begins
- November 6 – Election Day
- November 15 – SHOP Exchange participation requirement waived
- December 15 – Open enrollment in individual market ends*
- January 31 – 1095-C Forms due to employees
- February 28 – 1094-C and 1095-C Forms due to IRS (paper filing)
- April 1 – 1094-C and 1095-C Forms due to IRS (e-filing)



QUESTIONS?

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