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February 20, 2024

VIA ELECTRONIC SUBMISSION

Employee Benefits Security Administration
Room N-5655
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210

**Attention: Proposed Rescission of AHP Final Rule RIN 1210-AC16; Definition of “Employer”-
Association Health Plans**

The Medicare Rights Center (Medicare Rights) appreciates this opportunity to comment on the **Proposed Rescission of the 2018 Association Health Plan Final Rule**. Medicare Rights is a national, nonprofit organization that works to ensure access to affordable and equitable health care for older adults and people with disabilities through counseling and advocacy, educational programs, and public policy initiatives. Each year, Medicare Rights provides services and resources to over three million people with Medicare, family caregivers, and professionals.

General Comments

Medicare Rights applauds this full rescission of the final 2018 Association Health Plan (AHP) rule. Though the rule was never fully implemented, this rescission will eliminate any uncertainty regarding applicable definitions and standards.

The Affordable Care Act (ACA) guaranteed individual and small-group market consumers a basic set of benefits and protections, including a prohibition on discrimination in coverage based on preexisting conditions, limitations on pricing based on age, and access to essential health benefits. The 2018 rule, as finalized, would have allowed some employers to bypass these requirements and disproportionately burden people aged 50-64 through punitive pricing, discrimination, and inadequate benefits.

We commend the Biden-Harris administration for undoing this misstep and reaffirming valuable consumer protections.

Conclusion

Thank you again for the opportunity to provide comment. For additional information, please contact Lindsey Copeland, Federal Policy Director at LCopeland@medicarerights.org or 202-637-0961 and Julie Carter, Counsel for Federal Policy at JCarter@medicarerights.org or 202-637-0962.

Sincerely,

A handwritten signature in cursive script that reads "Fred Riccardi".

Fred Riccardi
President
Medicare Rights Center