

April 2, 2019

Dear West Texas Employer Health Plan Stakeholders:

Late last week, a federal district court remanded to the U.S. Department of Labor (USDOL) a set of **regulations governing Association Health Plans (AHPs)** that were finalized last year.

Assuming the regulations remain in effect while the appeals process is exhausted, the Lubbock Chamber of Commerce along with most, if not all, organizations that have established an AHP as of Jan. 1, 2019, as well as several organizations that are planning for future start dates, **will continue moving forward.**

The Lubbock Chamber of Commerce is working with the U.S. Chamber of Commerce and other interested organizations on helping with efforts to **stay the decision pending appeal.** We are continuing our plan, **business as usual**, in much the same way that Obamacare regulations and Obamacare **plans continued uninterrupted even as lower courts issued multiple rulings** against that law. There are many instances where **lower court rulings do not necessarily affect business as usual**, given that it can take time for the appeals process to play out. We feel **confident in the appeals process and the strength of regulations allowing association health plans.**

USDOL has just published a Q&A about this, and it can be found here: <https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/faqs/ahp-q-and-a-court-ruling.pdf>

Earlier this week, the Lubbock Chamber of Commerce issued the following statement denouncing the court ruling:

“The Lubbock Chamber continues to strongly support Association Health Plan (AHP) regulations that provide small businesses with the flexibility and options that larger businesses have had under the Affordable Care Act (ACA), allowing the Chamber to provide quality health insurance plans that were previously only available to large businesses. Such plans are growing in Texas and throughout the nation.

“We stand by the health care solutions we along with our partners are offering to small businesses and their families in West Texas, and we are confident in the AHP regulations issued last year by USDOL and their ability to stand up under appeal. Although many of the claims are

what we believe to be politically-motivated in litigation filed last year by various states' Attorneys General, we look forward to strengthening rules allowing us to continue operating our West Texas Employer Health Plan.

“For more than a decade, the Lubbock Chamber has been at the forefront of championing award-winning health care coverage solutions for small businesses and their families. AHPs are a step in the right direction, improving upon and operating within the ACA, and we will continue fighting for innovative health care solutions for our members despite temporary and unnecessary setbacks such as this.”

Thank you as always for your partnership with the Chamber, and we will keep you updated on this issue.

Thank you again, and we will keep up the fight for affordable health care for small businesses.

Eddie McBride
President and CEO