



NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS

March 11, 2005

**EXECUTIVE  
HEADQUARTERS**

2301 MCGEE STREET  
SUITE 800  
KANSAS CITY MO  
64108-2662  
VOICE 816-842-3600  
FAX 816-783-8175

**GOVERNMENT  
RELATIONS**

HALL OF THE STATES  
444 NORTH CAPITOL ST NW  
SUITE 701  
WASHINGTON DC  
20001-1509  
VOICE 202-624-7790  
FAX 202-624-8579

**SECURITIES  
VALUATION  
OFFICE**

1411 BROADWAY  
9<sup>TH</sup> FLOOR  
NEW YORK NY  
10018-3402  
VOICE 212-398-9000  
FAX 212-382-4207

**WORLD  
WIDE WEB**

[www.naic.or](http://www.naic.or)

The Honorable John A. Boehner, Chair  
Committee on Education and the Workforce  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

The House Education and the Workforce Committee is once again scheduled to consider legislation that would allow a new category of health insurance company, "Association Health Plans (AHPs)," to form and operate outside the authority of state regulators and beyond the reach of proven state consumer protections and solvency laws. This bill, H.R. 525, would adversely impact consumers and the National Association of Insurance Commissioners (NAIC) urges you to oppose it.

The NAIC, which represents the nation's insurance regulators, shares the sponsors' concern for the growing number of small business employees who cannot afford adequate coverage. However, the fact is H.R. 525, just like its predecessors, would do little, if anything, to address this problem. The bill ignores the root cause of the current crisis – skyrocketing healthcare spending – and would, according to the Congressional Budget Office, actually *increase* the cost of insurance for many small businesses. A far broader approach to the existing problem – one that addresses healthcare spending, cost-shifting to privately insured persons, and the possible need for subsidies – is necessary to bring true relief to small businesses.

Even more troubling than the bill's lack of effectiveness in meeting its stated goal is the harm the legislation would do to consumers. H.R. 525 would segment the small group market, eliminate critical consumer protections, and lead to increased fraud and plan failures. The sponsors of H.R. 525 have done nothing to address these shortcomings in the legislation and, therefore, NAIC must continue in its opposition.

History has demonstrated that AHP-type entities have done more harm than good to small businesses. The federal government and the states need to work with healthcare providers, insurers and consumers to implement true reforms that will curb spending and make insurance more affordable to small businesses. Rehashing strategies that have failed would not be a step forward. It's time to move on and find effective solutions.

The NAIC remains committed to improving access to affordable insurance for all small businesses. The AHP legislation is clearly not the answer and we urge its defeat in the Education and the Workforce Committee.

Sincerely,

Catherine J. Weatherford  
Executive Vice President and CEO

John Morrison, Chair  
Health Insurance and  
Managed Care (B) Committee

Sandy Praeger, Vice Chair  
Health Insurance and  
Managed Care (B) Committee