

**U.S. CHAMBER OF COMMERCE
LABOR, IMMIGRATION, & EMPLOYEE BENEFITS**

HEALTH CARE REGULATORY WORK

Following the passage of the Patient Protection and Affordable Care Act, the US Chamber of Commerce has submitted 92 comment letters in response to 8 Interim Final Regulations (IFRs), 3 Final Rules, 21 Requests for Comments (RFCs), 43 Proposed Rules, 1 Information Collection Request (ICR), 2 Amendments to the IFRs, 7 Requests for Information (RFIs), 1 FAQ, 1 Draft Letter, and 5 Notices.

	Published	Comments Submitted	Type	Subject/Topic
1.	4/14/10	5/14/10	RFI	Medical Loss Ratio (MLR)
2.	5/13/10	8/11/10	IFR	Adult Child Coverage (Age 26)
3.	6/17/10	8/16/10	IFR	Grandfathered Plan Status
4.	6/28/10	8/27/10	IFR	Preexisting Condition Exclusion, Lifetime & Annual Limits, Rescissions, Patient Protections
5.	7/19/10	9/17/10	IFR	Preventive Services Coverage
6.	7/23/10	9/21/10	IFR	Internal Claims & Appeals and External Review Processes
7.	7/30/10	9/28/10	IFR	Preexisting Condition Insurance Plan (PCIP)
8.	7/19/10	9/29/10	RFC	1099 Reporting Requirements
9.	8/3/10	10/4/10	RFC	Planning and Establishment of State-Level Exchanges
10.	9/9/10	10/15/10	RFC	National Quality Plan
11.	10/12/10	11/4/10	Notice & RFC	Non-Discrimination in Favor of Highly Compensated Individuals
12.	11/8/10	12/6/10	Study & RFC	Essential Health Benefits (IOM) Study
13.	11/17/10	12/17/10	Amendment to the IFR with RFC	Amended Grandfathered Plan Status
14.	9/3/10	12/27/10	Notice & RFC	OTC Medicine & Definition of Medical Expenses
15.	11/16/10	1/3/11	RFI	Development of Health Risk Assessment Guidance
16.	12/1/10	1/31/11	IFR	Medical Loss Ratio
17.	12/23/10	2/22/11	Proposed Rule	Rate Increase Disclosure and Review
18.	12/28/10	2/28/11	RFI	Value Based Insurance Design
19.	2/2/11	3/4/11	RFC	Consumer Operated & Oriented Plan Program
20.	12/22/10	3/11/11	Notice & RFC	Non-Discrimination in Favor of Highly Compensated Individuals (Timing)
21.	3/21/11	3/31/11	RFI	DOL: Retrospective Review Under E.O. 13563

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22.	3/30/11	4/29/11	RFI	Treasury: Retrospective Review Under E.O. 13563
23.	3/14/11	5/13/11	Proposed Rule	State Innovation Waivers
24.	4/7/11	6/6/11	Proposed Rule	ACOs & Medicare Shared Savings Program
25.	5/23/11	6/17/11	Notice & RFC	Shared Responsibility for Employers Regarding Health Coverage (Section 4980H)
26.	6/24/11	7/25/11	Amendment to the IFR	Amended Internal Claims Appeals and External Review Process
27.	5/31/11	8/1/11	Proposed Rule	HIPAA Privacy Rule Accounting of Disclosures
28.	6/8/11	8/8/11	Proposed Rule	Medicare Data Sharing
29.	8/22/11	10/21/11	Proposed Rule	Summary of Benefits and Coverage and the Uniform Glossary
30.	8/17/11	10/31/11	Proposed Rule	Exchange Functions in the Individual Market
31.	8/17/11	10/31/11	Proposed Rule	Health Insurance Premium Tax Credit
32.	7/15/11	10/31/11	Proposed Rule	Establishment of Exchanges and Qualified Health Plans
33.	10/3/11	12/13/11	Notice & RFC	Health Coverage Affordability Safe Harbor for Employers
34.	12/7/11	1/6/12	Final Rule	Medical Loss Ratio (MLR) Requirements
35.	12/16/11	2/3/12	RFC	Essential Health Benefits Bulletin
36.	2/21/12	3/2/12	ICR	Medical Loss Ratio (MLR) Notice of Rebate Forms
37.	2/9/12	4/5/12	Notice & RFC	Automatic Enrollment, Employer Shared Responsibility, and Waiting Periods
38.	3/17/12	5/11/12	Final Rule, IFR	Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers
39.	4/26/12	6/11/12	Notice & RFC	Minimum Value of an Employer-Sponsored Plan
40.	5/14/12	6/11/12	Notice & RFC	Reporting of Health Insurance Coverage
41.	5/14/12	6/11/12	Notice & RFC	Reporting by Applicable Large Employers on Health Insurance Coverage Under Employer-Sponsored Plans
42.	5/1/12	7/2/12	RFI	Stop Loss Coverage

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43.	4/17/12	7/16/12	Proposed Rule	Fees on Health Insurance Policies and Self-Insured Plans for the Patient-Centered Outcomes Research Trust Fund
44.	5/30/12	8/17/12	Notice & RFC	Health Flexible Spending Arrangements
45.	5/23/12	8/21/12	Final Rule	Health Insurance Premium Tax Credit
46.	8/31/12	9/30/12	Notice & RFC	90-day Waiting Period Limitation
47.	8/31/12	9/30/12	Notice & RFC	Determination of Full-Time Employees
48.	11/26/12	12/7/12	Proposed Rule	EHB AV Accreditation - Request to Extend Comment Period
49.	11/26/12	12/7/12	Proposed Rule	Insurance Market Rules – Request to Extend Comment Period
50.	12/7/12	12/7/12	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2014 - Request to Extend Comment Period
51.	11/26/12	12/24/12	Proposed Rule	Insurance Market Rules
52.	12/7/12	12/24/12	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2014
53.	11/26/12	12/26/12	Proposed Rule	EHB AV Accreditation
54.	11/26/12	1/14/13	Notice & RFC	Stage 3 Definition of Meaningful Use of Electronic Health Records
55.	1/22/13	1/18/13	Proposed Rule	Medicaid and Exchanges – Request to Extend Comment Period
56.	11/26/12	1/25/13	Proposed Rule	Incentives for Nondiscriminatory Wellness Programs in Group Health Plans
57.	1/2/13	3/18/13	Proposed Rule	Shared Responsibility for Employers Regarding Health Coverage
58.	3/11/13	4/1/13	Proposed Rule	Small Business Health Options Program
59.	2/27/13	4/29/13	IFR	Procedures for Handling Retaliation Complaints
60.	1/24/13	5/20/13	FAQs Response	Legality of Employer Subsidies for Individual Health Insurance
61.	5/8/13	5/23/13	RFC	Wellness Programs under Federal Equal Employment Opportunity Laws
62.	3/4/13	6/3/13	Proposed Rule	Health Insurance Providers Fee
63.	4/2/13	7/1/13	Proposed Rule	Executive Compensation

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64.	5/3/13	7/2/13	Proposed Rule	Minimum Value
65.	5/10/13	7/15/13	Proposed Rule	Inpatient Prospective Payment Systems
66.	8/8/13	9/9/13	Proposed Rule	Federal Employees Health Benefits Program
67.	9/9/13	11/8/13	Proposed Rule	Reporting by Minimum Essential Coverage
68.	9/9/13	11/8/13	Proposed Rule	Reporting by Applicable Large Employers on Health Insurance Coverage Under Employer-Sponsored Plans
69.	12/2/13	12/26/13	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2015
70.	12/24/13	2/24/14	Proposed Rule	Amendments to Excepted Benefits
71.	2/4/14	2/25/14	Draft Letter	2015 Letter to Issuers in the Federally-facilitated Marketplace (FFM)
72.	1/10/14	3/7/14	Proposed Rule	Medicare Advantage and Part D
73.	1/2/14	4/3/14	Proposed Rule	Certification of Compliance
74.	3/21/14	4/21/14	Proposed Rule	Exchange and Insurance Market Standards for 2015 and Beyond
75.	2/24/14	4/25/14	Proposed Rule	Ninety-Day Waiting Period Limitation
76.	1/27/14	4/28/14	Proposed Rule	Minimum Essential Coverage and the Individual Mandate
77.	1/7/14	5/7/14	Notice	Blood Glucose Monitoring
78.	5/16/14	6/10/14	Notice	PBM Compensation and Fee Disclosure
79.	11/26/14	12/22/14	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2016
80.	2/23/15	5/15/15	Notice	Notice 2015-16: §4980I- Excise Tax on High Cost Employer-Sponsored Health Coverage
81.	4/20/15	6/19/15	Proposed Rule	EEOC Restrictions on Wellness Program Incentives Under the Americans With Disabilities Act (ADA)
82.	7/30/15	10/01/15	Notice & RFC	Notice 2015-52: §4980I- Excise Tax on High Cost Employer-Sponsored Health Coverage
83.	9/01/15	11/02/15	Proposed Rule	Minimum Value of Eligible Employer-Sponsored Health Plans Under the ACA

	Published	Comments Submitted	Type	Subject/Topic
84.	9/08/15	11/09/15	Proposed Rule	Nondiscrimination in Health Programs and Activities
85.	12/02/15	12/21/15	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2017
86.	10/30/15	1/28/16	Proposed Rule	EEOC Restrictions on Wellness Program Incentives Under the Genetic Information Nondiscrimination Act (GINA)
87.	02/19/16	03/04/16	Notice & Call Letter	CMS Notice of CY 2017 Medicare Advantage Part C & D Payment Policies
88.	06/10/16	08/09/16	Proposed Rule	Restrictions on Expatriate Health Plans Under the Expatriate Health Coverage Clarification Act (EHCCA)
89.	08/23/16	09/22/16	RFI	Inappropriate Steering of Individuals Eligible for Medicare/Medicaid Benefits to Individual Market Plans
90.	09/06/16	10/06/16	Proposed Rule	HHS Notice of Benefit and Payment Parameters for 2018
91.	02/01/17	03/03/17	Notice & Call Letter	CMS Notice of CY 2018 Medicare Advantage Part C & D Payment Policies
92.	02/17/17	03/07/17	Proposed Rule	HHS Proposed Changes to Market Stabilization for Individual & Small Group Market (Regulatory Recommendations Chart)

The Departments involved, Health and Human Services, Labor and Treasury, have also issued numerous pieces of sub-regulatory guidance in the form of Technical Releases, Notices, Frequently Asked Questions, and Model Notice Language Samples. Other materials have been posted on the Healthcare.gov website “explaining the new rules under the Affordable Care Act.” For additional information, please contact Katie Mahoney (kmahoney@uschamber.com) or Randy Johnson (rjohnson@uschamber.com).