

October 21, 2011

The Honorable Timothy Geithner  
Secretary  
U.S. Department of the Treasury  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington, DC 20224

The Honorable Hilda Solis  
Secretary  
U.S. Department of Labor  
Office of Health Plan Standards and Compliance Assistance  
Employee Benefits Security Administration  
200 Constitution Avenue, NW  
Washington, DC 20210

The Honorable Kathleen Sebelius  
Secretary  
U.S. Department of Health and Human Services  
Centers for Medicare & Medicaid Services  
Baltimore, Maryland 21244 1850

Submitted via the Federal Regulations Web Portal, <http://www.regulations.gov>

ATTENTION: (Treasury), RIN 1210 AB52 (Room N-5653) (Labor), and CMS 9982 P  
(P.O. Box 8016) (HHS)

**RE: Notice of Proposed Rulemaking: Summary of Benefits and Coverage and  
the Uniform Glossary (76 Fed. Reg. 52442 [August 22, 2011]).**

Dear Secretaries Geithner, Solis and Sebelius:

We are writing to share our concerns with you about the notice of proposed rulemaking (NPRM) to implement Section 2715 of the Affordable Care Act (ACA) on the issuance of a summary of benefits and coverage (SBC) and a uniform glossary of health plan terms (76 Fed. Reg. 52442). In particular, we0(ry)21( )-4(of )-5(B)5(en)1/5-a3(r)-3(i)5(t)-4(i)5(ng)3( 4(a)13(On01J

**Recommended Solutions:** To avoid negative implications, we recommend:

- 1) *Immediate announcement of implementation extension:* The ACA required the Agencies to develop the standards for the summary of benefits no later than

would then be seamlessly submitted in real time to the HHS program which would return a HHS coverage facts label to the consumer online.

We appreciate the opportunity to comment on the Summary of Benefits and Coverage and the Uniform Glossary NPRM. We hope that you take these comments into consideration as you develop a final rule which will impose fewer burdens and costs on the health coverage provided by employer-sponsored plans for more than 160 million Americans.<sup>3</sup>

Sincerely,

Alief Independent School District (ISD)  
American Airlines  
American Benefits Council  
American Hotel & Lodging Association  
American Staffing Association  
Applied Materials  
Ascena Retail Group  
Associated Builders and Contractors, Inc.  
Associated General Contractors of America  
Autozone  
Black, Gould & Associates  
Blair County Chamber of Commerce  
Brazoria County Government, Angleton, Texas  
Brick Industry Association  
Brinker  
CarMax  
CIAB  
Coalition for Affordable Health Coverage  
College and University Professional Association for Human Resources  
Con-Way Inc.  
Costco Wholesale  
CVS Caremark  
Delta Airlines, Inc.  
Food Marketing Institute  
Harris County, Texas  
Hobby Lobby Stores, Inc.  
Houston Independent School District  
HR Policy Association (HRPA)  
International Franchise Association  
Lafarge North America, Inc.  
Liberty Mutual Insurance Group  
Maritz, LLC  
National Association of Health Underwriters (NAHU)  
National Association of Manufacturers  
National Association of REALTORS®  
National Association of Wholesale-Distributors  
National Business Group on Health  
National Council of Chain Restaurants

National Retail Federation  
National Ski Areas Association  
Nationwide Mutual Insurance Company  
Nordstrom  
Paul Hastings, LLP  
Penske Trucking Lease Co. LP  
Phoenix Companies, Inc.  
Pinnacle Claims Management, Inc.  
Praxair, Inc.  
Quest Diagnostics  
REI  
Retail Industry Leaders Association  
RJ Dutton, Inc.  
Small Business and Entrepreneurship Council  
Society for Human Resource Management  
Southside Bancshares, Inc.  
State of Indiana, State Personnel Department  
T. Ross Brown and Associates  
U.S. Chamber of Commerce  
VSP Vision Care  
Waste Management, Inc.  
Western Growers Association  
Yale New Haven Health System  
Yale University

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<sup>1</sup> *Kaiser Family Foundation (KFF) and the Health Research & Educational Trust (HRET)*. Employer Health Benefits 2011 Annual Survey (September 2011).

<sup>2</sup> *Mathew Greenwald & Associates* for the Employee Benefit Research Institute, May 2009.

<sup>3</sup> *Kaiser Family Foundation*, Health Care Costs, October 20, 2011, <http://www.kff.org/insurance/index.cfm>.