From: Mike Clark

To: <u>E-OHPSCA-ER.EBSA</u>

Subject: Coordination of Essential Health Benefits and Shared Employer Responsibility

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While grandfathered plans, large group plans (over 50 lives) and all self-insured plans are NOT required to provide Essential Health Benefits (except for eliminating lifetime and annual maximums) it appears recent guidance for the Shared Employer Responsibility provision could result in any large group (over 50 employees) that does not provide Essential Health Benefits (EHB).

Am I missing something? It certainly would have been easier to require all employers to provide EHB. Please explain.

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