

Congress of the United States
Washington, DC 20515

February 7, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

We write today to share concerns we have heard about the potential impacts of the Affordable Care Act (ACA) on American businesses, specifically the development and implementation of employer reporting provisions. A variety of businesses, large and small, have expressed concerns about the potential cost, complexity and burdensome nature of the employer reporting requirements. It is important that this law works efficiently and effectively so that American employers remain competitive in the global economy and hardworking Americans have access to affordable high-quality healthcare coverage.

As you know, the ACA requires businesses with 50 or more full-time equivalent employees to provide comprehensive healthcare coverage. Businesses with fewer than 50 full-time equivalent employees do not have this requirement, although employers with 25 or fewer employees that do provide coverage may be eligible for tax credits. In order to monitor these requirements, the IRS has issued a proposed rule outlining complex, and potentially costly and burdensome reporting requirements.

Delaying the employer mandate and reporting requirements until January 1, 2015 was a commonsense step to ensure that reasonable reporting requirements can be developed. Additional similar steps should now be implemented, and the Administration should now take advantage of this time to work with both large and small employers to develop simple and straightforward requirements that capture the necessary information in an easy and cost-effective way. In addition, small businesses with 50 or fewer employees should be given safe harbor by which they can demonstrate their small business status at minimal or no additional cost.

We support the benefits of the Affordable Care Act that will increase access to coverage, lower costs and improve care. At the same time, the roll out of the law has been problematic, and we must recognize commonsense fixes need to occur to make this law work for everyone. Providing flexibility to meet simple and clear reporting requirements, and providing small businesses with safe harbor are reasonable actions that will improve the operation of this law.

We appreciate your dedication to improving our healthcare system, and we look forward to working with you on this issue.

Sincerely,


Kyrsten Sinema
Member of Congress


Tulsi Gabbard
Member of Congress


William L. Enyart
Member of Congress


Joe Garcia
Member of Congress


Patrick Murphy
Member of Congress


Ann Kirkpatrick
Member of Congress

A handwritten signature in blue ink that reads "Ron Barber". The signature is fluid and cursive, with the first name "Ron" and last name "Barber" clearly distinguishable.

Ron Barber
Member of Congress