

Health Reform — Challenges, Delays ... and More Delays!

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We all know that this will be a busy year for health reform under the Patient Protection and Affordable Care Act (PPACA), which continues to reshape our country's health care system. In the not-too-distant past, the potential for health reform was viewed by the self-insured industry as a storm on the horizon, presently located off the coast and raging somewhere over the ocean, which

we were just hoping would never make landfall. We did not know what to expect if this "storm of reform" were to hit, or how large the storm would be. Should we board up the windows and hide in the cellar? Should we pack up the car and evacuate the town? Or will it end up being nothing but some cloudy skies after all? This froze many self-funded plans and third-party administrators in their tracks, or worse, led them into unnecessary (and costly) actions. Indeed, we learned that those in our industry that chose to remain in a holding pattern while the mess continues to work itself out came out on top. Unfortunately, this also meant that our industry did not invest in improving operations and did not attempt to upgrade plan documents or IT infrastructure ... also out of fear that reform would make all of those acts obsolete.

The saying goes: "The early bird catches the worm." If that is true, then isn't also true that the late-rising worm survives? Applying this philosophy to PPACA, it would appear that policy makers have cast themselves in the role of the worm. Indeed, since the law's passage on March 23, 2010, the number of revisions, delays and second-guessing we've witnessed in this regard could fill a book. Instead, we'll limit our discussion of this matter to this editorial.

For employers, complying with PPACA is like shooting at a moving target, as regulators, legislators and the courts continue to make changes to this law. So many definitions and other guidelines are still being developed and/or clarified, which complicate compliance efforts. It is hard to know whether your benefit plan is in compli-

Employer's Guide to Self-Insuring Health Benefits

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The *Employers Guide to Self-Insuring Health Benefits* (USPS 011-926) is published monthly by Thompson Publishing Group, 805 15th St. NW, 3rd Floor, Washington, DC 20005. Periodicals Postage Paid at Washington, D.C., and at additional mailing offices.

POSTMASTER: Send address changes to: *Employers Guide to Self-Insuring Health Benefits*, Thompson Publishing Group, 5201 W. Kennedy Blvd., Suite 215, Tampa, FL 33609-1823.

This newsletter for the *Employers Guide to Self-Insuring Health Benefits* includes a looseleaf update to the *Guide*. For subscription service, call 800 677-3789. For editorial information, call 202 872-4000. Please allow four to six weeks for all address changes.

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