GHT

WCA GROUP HEALTH TRUST

August 13, 2010

The Honorable Phyllis Borzi, Assistant Secretary
Employee Benefits Security Administration
U.S. Department of Labor
Washington, D.C. 20210
Attn: RIN 1210-AB42

The Honorable Jay Angoff, Director
Office of Consumer Information and Insurance Oversight
U.S. Department of Health and Human Services
Washington, D.C. 20201
File Code: OCIIO–9991–IFC

Re: Grandfathered Status of Health Plan Under the Patient Protection and Affordable Care Act

Position: Modifications to a Plan's Provider Network or Self-funded Status Should Not Affect Grandfather Status

Dear Ms. Borzi and Mr. Angoff,

On behalf of The WCA Group Health Trust, a jointly self-funded health plan covering approximately 10,000 county, city and school district employee lives throughout Wisconsin, I am writing to ask you to give employers and health plans the flexibility necessary to focus on making high-value health care available through their provider networks and urge you not to subject plans to increased regulations if they opt to self-fund their health benefits.

We have been jointly self-funding benefit plans of local government employers for 20 years and believe it is critical in providing quality, safe health care for employees, while giving local governments the power to reduce administrative costs and effectively manage provider networks. Without the unencumbered ability to remove a provider from the network due to poor performance or higher than average costs, increases in costs will not be able to be effectively managed and benefit levels will be in jeopardy.

22 EAST MIFFLIN STREET, SUITE 900 / MADISON, WI 53703 / PH: 1.866.404.2700 / FAX: 608.663.7189 / www.wcaght.org

Claims Administrator:
UMR
2700 Midwest Drive
Onalaska, WI 54650-8764
Phone: 1.800.236.2515
Fax: 608.783.8621

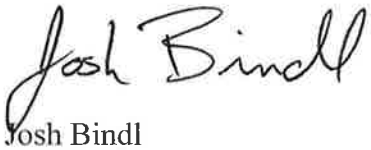
Marketing/Consulting:
Aegis Corporation
18550 West Capitol Drive
Brookfield, WI 53045
Phone: 1.800.236.6885
Fax: 262.781.7743

Over the past several years, self-funded employers have become more engaged in managing employee benefit plans through a variety of innovative programs committed to quality, safety and wellness. This engagement has allowed our membership to better control costs and maintain strong employee benefit programs. By subjecting self-funded plans to additional regulations you will discourage employers from self-funding, which is likely to negate any employer investment gained over the past several years.

The provisions of the Patient Protection and Affordable Care Act appear to support controls over costs and quality of care. Self-funding and enabling changes to provider networks to promote high value and save care. I urge you not to tie grandfathered status to their adoption.

Thank you for your consideration of these comments. If you have any questions, please do not hesitate to contact me.

Sincerely,



Josh Bindl
Assistant Secretary, Trust Board

CC: The Honorable Herb Kohl
The Honorable Russ Feingold
The Honorable Tammy Baldwin
The Honorable Steve Kagen
The Honorable Ron Kind
The Honorable Gwen Moore
The Honorable David Obey
The Honorable Thomas Petri
The Honorable Paul Ryan
The Honorable James Sensenbrenner