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December 1, 2020

The Honorable Tom Brinkman
Chair, Ohio House Insurance Committee
77 South High Street, 11th Floor
Columbus, OH 43215

Dear Chairman Brinkman:

I am writing on behalf of our nearly 22,000 governing members to express concerns related to House Bill 547, legislation pending before the Ohio House Insurance Committee. Our association appreciates the sponsors' goal to provide patients with alternative healthcare pathways to deliver quality outcomes that return them back to work quickly and in good health. However, House Bill 547 does not reduce the cost associated with occupational and physical therapy visits, it will simply shift who pays.

By way of background, NFIB members come from all industry sectors in all 88 counties across Ohio. Our typical member employs 15 or fewer and has less than \$2 million in gross receipts. The latest issue of our quadrennial publication *Problems & Priorities*, which asks business owners to rank a list of 75 business issues on most to least impactful on their operations, was recently released. The cost of health insurance remains their top concern, exceeding even locating qualified employees! Our members are clearly concerned with any policies putting upward pressure on premiums which makes providing health insurance, a much-desired benefit, more challenging.

House Bill 547 limits cost sharing for occupational and physical therapy on a per day basis to the same amount for an office visit for a primary care or osteopath physician. While this may reduce out of pocket costs for individuals, this legislation does not remove the costs from the system, they simply shift who pays the costs. We believe it is the health insurance policy purchaser, our small business members, who will ultimately pay these costs through increased premiums when, or if, they renew their policies.

Additionally, House Bill 547 is exempt from Ohio Revised Code Section 3901.71. This section of code precludes any health insurance mandate from becoming law until the Department of Insurance can confirm the applicability to all insurance plans subject to the federal Employee Retirement Income Security Act (ERISA) law. As you know, these plans, self-insured plans, are exempt from state-imposed health insurance mandates. This leaves only the fully-insured plans, individual, and small and large group plans, subject to state-imposed mandates. The inclusion of this language seems to confirm this bill is yet another health insurance mandate.

We implore this committee to find creative solutions to provide affordable access to coverage for all Ohioans, if and when a public health need is identified, in lieu of just passing additional mandates on the fully-insured market. We ask you to consider who provides coverage in the fully-insured market and

what happens when premiums become unaffordable; coverage will be dropped. In fact, since 2009, the cost of coverage for family plans for small firms has increased by 59 percent.¹ This significant cost increase leaves our members with difficult decisions concerning providing benefits to their employees. In an increasingly competitive global market, the inability to provide meaningful health insurance coverage can harm employee recruitment and retention.

For the aforementioned reasons, we respectfully ask you to not favorably report House Bill 547.

Thank you for your consideration.

Sincerely,



Christopher J. Ferruso
Ohio Legislative Director

cc: Ohio House Insurance Committee

¹ <https://www.kff.org/report-section/ehbs-2019-section-1-cost-of-health-insurance/>