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August 23, 2013

Internal Revenue Service
CC:PA:LPD:PR (Notice 2013-41)
Room 5203
P.O Box 7604
Ben Franklin Station
Washington, DC 20044

Re: Notice 2013-41 Eligibility for Minimum Essential Coverage for Purposes of the Premium Tax Credit

To Whom It May Concern:

On behalf of the American College, Health Association (“ACHA”), I write in response to Internal Revenue Service (IRS) Notice 2013-41 regarding college students’ eligibility for minimum essential coverage for purposes of the premium tax credit. ACHA is a non-profit national health association that represents multidisciplinary college and university health professionals whose principal collective interest is to advance the health of the nation’s 20 million college students. Comprised of more than 2800 physicians, nurses, and other clinical providers, mental health providers, health promotion professionals, health administrators, pharmacists and support staff in nearly 900 student health centers, ACHA has long supported the provision of high quality, comprehensive and affordable health coverage through college and university sponsored student health plans. Specifically, I am writing in response to the request for comments on the guidance in this notice.

In regard to eligibility based on enrollment, we support the position set forth in the proposed guidance that students who have access to coverage under a self-funded plan offered by their college or university also have the option to purchase coverage through an Affordable Insurance Exchange and be eligible for premium tax credits if they choose to do so.

In addition, we recommend that consideration be given to including student health plans (whether fully insured or self-insured) as qualified health plans offered through the exchanges established in each state, thereby providing students an electronic mechanism to compare and enroll in student health plans or other coverage on the exchange. High quality, cost-effective student plans are uniquely designed to meet the health care needs of college students and may provide the best option for coverage depending upon the individual’s circumstances. The inability to make a fair comparison and take advantage of the tax subsidy may disadvantage the student’s opportunity to make a decision that serves his/her best interest.

Lastly, we understand that an unintended consequence of the Supreme Court ruling on Medicaid expansion has created a gap in access to the exchange and tax subsidy for those whose income

would have made them eligible for Medicaid under expansion. This gap will affect students who would have qualified for Medicaid by income level but live in a state that is not participating in the expansion of Medicaid. We feel that consideration should be given to address this unintended inequity so that the lowest income students will be able to access exchanges and qualify for the tax credit subsidy.

ACHA remains committed to the provision of high-quality, cost-effective health benefits for the nation's college students as we feel that access to care is integral to students' success. We assure you that ACHA will continue its longstanding promotion of standards for student health plans—both insured and self-funded—that set forth an expectation of comprehensive and affordable student health coverage.

We thank you for the opportunity to provide comment. On behalf of college health professionals across the country, we also thank you for your continuing attention to college students' health plan coverage.

Sincerely,

A handwritten signature in cursive script that reads "Patricia L. Ketcham". The signature is written in black ink and is positioned above the typed name and title.

Patricia L. Ketcham, PhD, CHES, FACHA
President
American College Health Association

cc: Notice.Comments@irsounsel.treas.gov