



June 6, 2022

Charles P. Rettig
Commissioner
1111 Constitution Ave. NW
Internal Revenue Service
Washington, DC 20224

RE: Affordability of Employer Coverage for Family Members of Employees (REG-114339-21)

Dear Commissioner Rettig,

The American College of Physicians (ACP) appreciates the opportunity to provide comments on the Affordability of Employer Coverage for Family Members of Employees proposed rule. ACP is the largest medical specialty organization and the second largest physician membership society in the United States. ACP members include 161,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness. Internal medicine specialists treat many of the patients at greatest risk from COVID-19, including the elderly and patients with pre-existing conditions like diabetes, heart disease and asthma.

The Affordable Care Act generally prohibits individuals offered affordable, comprehensive health coverage, including employer-sponsored insurance, from qualifying for premium tax credits to purchase marketplace-based coverage. An employee is eligible for subsidized coverage if employer-sponsored insurance is unaffordable, that is, their contribution to employer-sponsored insurance exceeds a percentage (currently 9.83%) of their household income. However, an employee and their family are ineligible for subsidized marketplace-based coverage if the employee's self-only coverage is deemed affordable, even if coverage for the family is not. This "family glitch" has prevented millions from accessing affordable coverage. The Kaiser Family Foundation [estimates](#) that 5.1 million people are affected by the family glitch, and [several studies](#) have estimated substantial premium savings if families switched from employer-sponsored insurance to subsidized marketplace-based coverage as a result of a family glitch fix.

ACP has [recommended](#) addressing the family glitch to help ensure our patients can access affordable, comprehensive health coverage. Therefore, **we recommend the proposal to modify the determination of affordability to consider the cost of family coverage be finalized.**

Thank you for the opportunity to comment on the proposed rule. If you have questions, please contact Ryan Crowley, Senior Associate for Health Policy at rcrowley@acponline.org.

Sincerely,

A handwritten signature in black ink, appearing to be "RDM", enclosed within a hand-drawn oval.

Ryan D. Mire, MD, FACP
President
American College of Physicians