



## LEGISLATIVE UPDATE

MARCH 15-16, 2018

### Health proposal would loosen limits on short-term insurance

Wall Street Journal: The Trump administration today released a proposal that would allow for the proliferation of less-comprehensive, cheaper health plans restricted under the Affordable Care Act, marking one of the most significant efforts by Republicans to roll back the Obama-era health law. The proposed rule would loosen restrictions on short-term insurance policies, which are low-cost plans that have fewer benefits and limited consumer protections. Such plans can now only be carried for 90 days, and the new proposal would allow them to extend for a year.

### Trump Budget Calls for Mandatory Nationwide E-Verify Use

President Donald Trump's fiscal year 2019 budget would require all employers to use E-Verify, the government's electronic employment eligibility verification system; boost funding for immigration enforcement; and create new fees and penalties for employers.

### Iowa and ACA

It appears more Iowans have left the Affordable Care Act individual health market this year than expected, said Iowa Insurance Commissioner Doug Ommen. [Read more](#)

### IOWA Senate bill would allow small business to sidestep ACA rules

The Iowa Senate has passed a measure allowing small employers to band together to buy health insurance for their workers that skirts Affordable Care Act rules. By a 33-17 vote, legislators passed the "association health plan" proposal enabling insurance carriers to sell small-employer policies that would not cover maternity care, addiction treatment and other services mandated by the ACA, the Des Moines Register reports. Supporters say the plan will expand options and make insurance more affordable, but opponents warn it will drive up rates for older, sicker Iowans by pulling young, healthy Iowans out of the risk pool. State legislators are also considering allowing the Iowa Farm Bureau Federation to offer non-compliant plans in partnership with Wellmark Blue Cross Blue Shield. That proposal is modeled after a Tennessee Farm Bureau plan that excludes those with pre-existing conditions, and charges more for older people and tobacco users.

### House Passes Bill to Make ADA Accessibility Lawsuits Harder to Bring

Small businesses should have a chance to correct accessibility violations of the Americans with Disabilities Act (ADA) before they are sued, say Republicans in the House of Representatives

### How to Calculate the Paid-Leave Tax Credit

Follow these four steps to determine if your company can take advantage of the potential tax savings that a voluntary paid-leave program can now generate

### Buffett expects health care effort to open up to other companies

CNN Money: Warren Buffett says the joint effort between Berkshire Hathaway, Amazon and JPMorgan Chase to fix health care for their employees will probably also include other employers eventually. And he says there are already a number of companies eager to join them.

### NLRB Vacates Joint-Employer Decision

The National Labor Relations Board's (NLRB's) decision on what makes a business a "joint employer" was tainted by the participation of a board member who was too involved in the case, so the decision was vacated on February 26th.

### IRS Issues New Form W-4 and Updates Tax Withholding Calculator

The IRS has issued a new Form W-4 and updated its online withholding calculator to reflect this year's revised tax rates and brackets. HR should alert employees to check their tax withholding and to submit a new W-4 if they want to make changes.

### WPI State of the States: Legislatures Pick up the Pace

State and local lawmakers introduced over 250 new labor and employment bills in February, and considered hundreds of others in various stages of the legislative lifecycle. Many topics covered by these measures are familiar, including paid leave, criminal history, predictive scheduling, and minimum wage. Although it is still too early in the legislative session to see significant movement on most bills, some noticeable trends are forming.

### IRS Lowers 2018 Family HSA Contribution Limit

The 2018 contribution limit for health savings accounts (HSAs) linked to family coverage will be \$6,850—not \$6,900, as the IRS had previously announced. Some employees who calculated their pretax payroll contributions at the beginning of the year will need to adjust their deferrals.

### DOL Announces Pilot Program to Voluntarily Correct FLSA Errors

On March 6, the U.S. Department of Labor (DOL) announced a new pilot program aimed at providing employers with an opportunity to voluntarily correct errors they discover that violate the Fair Labor Standards Act's (FLSA's) overtime and minimum wage requirements. The DOL recognizes that employers sometimes discover errors in failure to pay overtime, misclassification of employees or other FLSA violations but are hesitant to take corrective action because of potentially expansive liability exposure.