

## **Chairman Brady Announces Hearing on the Delay of the Employer Mandate**

House Ways and Means Health Subcommittee Chairman Kevin Brady (R-TX) today announced that the Subcommittee on Health will hold a hearing on the Obama Administration's recent decision to delay the information reporting requirements and penalties associated with the employer mandate in the Affordable Care Act until 2015. This hearing will allow the Subcommittee to focus specifically on the Administration's ability to make regulatory enforcement decisions on statutory provisions in law. **The hearing will take place on Wednesday, July 10, 2013, in 1100 Longworth House Office Building, beginning at 10:00 A.M.**

In view of the limited time available to hear from witnesses, oral testimony at this hearing will be from invited witnesses only. However, any individual or organization not scheduled for an appearance may submit a written statement for consideration by the Committee and for inclusion in the printed record of the hearing.

### **BACKGROUND:**

On Tuesday July 2, 2013, a posting on the U.S. Department of the Treasury's (Treasury) tax blog announced that the employer reporting requirements and the employer mandate tax penalties "will not apply until 2015." The announcement came as a surprise to opponents and proponents of the law, and it raises new questions about how the shift will affect other aspects of the Affordable Care Act. The Ways and Means Committee has raised significant concerns about implementation status of all aspects of the Affordable Care Act, with a particular emphasis on the impact of the employer mandate on jobs and the economy. The Obama Administration repeatedly testified to the Committee that implementation of the law is on track, and Administration officials emphasized that no delays were expected. The hearing will examine what led to the decision to delay the employer mandate, what authority Treasury is relying on to delay statutory provisions with clear implementation dates and Treasury's analysis of how the delay will impact other aspects of the health care law.

In announcing the hearing, Chairman Brady stated, **"The employer mandate is a flawed provision that has resulted in lost jobs, fewer hours and a loss of wages, while doing nothing at all to make health insurance more affordable – which is what individuals, employers and workers want and need. A one year delay will not undo this damage. I want to know why, after repeated assurances that everything was on track and that no more deadlines would be missed, that the Administration has taken this action. It is time for the Administration to explain to the American people why it's acceptable to grant this delay, while at the same time taking no action whatsoever to provide any relief from the individual mandate."**

### **FOCUS OF THE HEARING:**

The hearing will focus on the Obama Administration's decision to delay the employer mandate and the employer information reporting requirements under the Affordable Care Act.

### **DETAILS FOR SUBMISSION OF WRITTEN COMMENTS:**

Please Note: Any person(s) and/or organization(s) wishing to submit for the hearing record must follow the appropriate link on the hearing page of the Committee website and complete the informational forms. From the Committee homepage, <http://waysandmeans.house.gov>, select "Hearings." Select the hearing for which you would like to submit, and click on the link entitled, "Click here to provide a submission for the record." Once you have followed the online instructions, submit all requested information. ATTACH your submission as a Word document, in compliance with the formatting

requirements listed below, **by the close of business on Wednesday, July 24, 2013**. Finally, please note that due to the change in House mail policy, the U.S. Capitol Police will refuse sealed-package deliveries to all House Office Buildings. For questions, or if you encounter technical problems, please call (202) 225-1721 or (202) 225-3625.

**FORMATTING REQUIREMENTS:**

The Committee relies on electronic submissions for printing the official hearing record. As always, submissions will be included in the record according to the discretion of the Committee. The Committee will not alter the content of your submission, but we reserve the right to format it according to our guidelines. Any submission provided to the Committee by a witness, any supplementary materials submitted for the printed record, and any written comments in response to a request for written comments must conform to the guidelines listed below. Any submission or supplementary item not in compliance with these guidelines will not be printed, but will be maintained in the Committee files for review and use by the Committee.

1. All submissions and supplementary materials must be provided in Word format and **MUST NOT** exceed a total of 10 pages, including attachments. Witnesses and submitters are advised that the Committee relies on electronic submissions for printing the official hearing record.
2. Copies of whole documents submitted as exhibit material will not be accepted for printing. Instead, exhibit material should be referenced and quoted or paraphrased. All exhibit material not meeting these specifications will be maintained in the Committee files for review and use by the Committee.
3. All submissions must include a list of all clients, persons and/or organizations on whose behalf the witness appears. A supplemental sheet must accompany each submission listing the name, company, address, telephone, and fax numbers of each witness.

The Committee seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-1721 or 202-226-3411 TTD/TTY in advance of the event (four business days notice is requested). Questions with regard to special accommodation needs in general (including availability of Committee materials in alternative formats) may be directed to the Committee as noted above.

Note: All Committee advisories and news releases are available on the World Wide Web at <http://www.waysandmeans.house.gov/>.