

Mark Lutes Quoted in Article, "Will HHS's Decision to Loosen Application Deadlines Mean Fewer Federal Exchanges?"

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Mark Lutes, a Member of the Firm in the Health Care and Life Sciences practice, in the Washington, DC, office, was quoted in an article titled "Will HHS's Decision to Loosen Application Deadlines Mean Fewer Federal Exchanges?"

Following is an excerpt:

In order to negotiate a major budget deal with the Republican-led House, the Obama administration might agree to delay the implementation of certain reform-law provisions, such as the start date of state exchanges. By delaying the availability of federal premium subsidies, the Obama administration would pick up some savings that could be used to bargain with Republican lawmakers. And it also would create an opportunity to implement exchanges and subsidies in "a more measured fashion with an ultimately better result for consumers," says Mark Lutes, an attorney at the law firm Epstein Becker and Green. "The government wants this market to be successful. And the ability to be successful would be enhanced by some delay," he tells *HEX*. Pushing back the start date for exchanges also might give states more time to weigh the pros and cons of controlling their insurance markets rather than allowing the feds to do it for them, he adds.

With a delay, state governors and lawmakers would have more time to consider how allowing federal control of the exchange could impact their individual and small-group insurance markets, says Lutes. "Once threats of federal intervention become more apparent, carriers in that market will voice their opinions to state

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lawmakers and governors and push them to take control in the market," he predicts.