



President Trump Takes First Step Toward Dismantling Affordable Care Act

FOR EMPLOYERS, IT'S BUSINESS AS USUAL...FOR NOW

Insights

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Shortly after being sworn in on Friday, President Trump signed an executive order which appears to begin to repeal the Affordable Care Act (ACA), following through on one of his primary campaign promises. However, the executive order seems to have no immediate impact on employers' obligations under the law.

What Does The Executive Order Say?

The executive order, by its terms, is a broad policy statement by the new administration indicating that the ACA should be repealed. It directs all agency heads that have authority over the law to grant waivers and exemptions, or implement delays, to relieve states or individuals impacted by the law from any costs or burdens.

It is important to note that the executive order does not specifically mention employers. It is unclear at this point whether this was an intentional omission.

What Does This Mean For Employers?

Despite the new administration's announced plans and recent action from both the White House and Congress, there is no specific relief currently slated for employers in 2017. Moreover, employers continue to face the same 2016 reporting obligations, which many are working on as of today's date.

There may be further action taken by administration officials or Congress in the near future, but at this point, there is nothing that employers can rely on to exempt them from their reporting obligations. Only agency rulemaking or congressional action can relieve employers of their reporting requirements and other ACA obligations, but either action would take significant time.

At this time, we recommend that you continue to work on your 1095 reporting for the 2016 plan year, prepare to issue ACA-required reports, and file them as of the current deadline. We will continue to monitor developments regarding the possible repeal of the ACA and provide frequent updates, updating you should your obligations change.

If you have further questions about these developments or how they may affect your business, please contact any member of our [Employee Benefits Practice Group](#), or your regular Fisher Phillips attorney.

attorney.

This Legal Alert provides an overview of an executive order. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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