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**Comments on Department of Labor Notice of Proposed Rulemaking
Docket # EBSA-2016-0010; RIN 1210-AB63
Submitted by Maine Health Data Organization-State of Maine**

On July 21, 2016, the Department of Labor (DOL) and coordinating agencies published a Notice of Proposed Rulemaking^[1] and a Notice of Proposed Revision of Annual Information Return/Reports^[2] proposing changes to the Form 5500 annual report for employee benefit plans. We are responding to DOL's request for public comments on "those conforming amendments and the proposed annual reporting requirements for plans that provide group health benefits, including the new Schedule J, in light of the Supreme Court's recent decision in *Gobeille v. Liberty Mutual Insurance Co.*, 136 S. Ct. 936 (2016)."^[3]

The National Academy for State Health Policy (NASHP) and the All-Payer Claims Database (APCD) Council (a collaboration between the National Association of Health Data Organizations and the Institute for Health Policy at the University of New Hampshire), have submitted detailed comments reflecting a proposed approach to support the DOL's needs for data and information articulated in the Proposed Rule by leveraging state infrastructure and investment in the collection of claims data in state APCDs.

I am writing on behalf of the Maine Health Data Organization, the State agency responsible for the State of Maine's All Payer Claims Database, to express our support for the approach described in the NASHP/APCD Council comments. We believe that collaboration with the Department of Labor in the partnership expressed in the comments is beneficial to the Department, the States, employers and consumers. Additionally, it addresses the needs identified by the Department of Labor for oversight of the quality and cost of health care provided by self-funded ERISA plans, which are among the stated objectives of DOL's creation of Schedule J.

Given our legislative responsibility to promote the collection and use of a comprehensive health care claims database, we are highly supportive of the NASHP/APCD proposal which would preserve the ability of State APCDs to collect comprehensive health care data. We respectfully request that the Department of Labor review the approach brought forward in the NASHP/APCD Council comments and consider the state partnership in the development of the final rules for the Form 5500 and Schedule J.

Thank you for your consideration of this important issue.

Best regards,

Karynlee Harrington
Acting Executive Director

^[1] 81 Fed. Reg. 47496 (July 21, 2016); ^[2] 81 Fed. Reg. 47534 (July 21, 2016); ^[3] 81 Fed. Reg. 47534, 47559 (July 21, 2016).



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