

National Coalition on

BENEFITS

"We strongly disagree with the recent decision by the Ninth Circuit Court of Appeals to deny review an earlier 3-judge ruling on whether San Francisco's health care ordinance is preempted by the Employee Retirement Income Security Act (ERISA)," said Martin Reiser, chairman of the National Coalition on Benefits (NCB).

NCB is a broad coalition of over 175 national trade associations and companies who support ERISA's single uniform legal framework governing employers who sponsor health and retirement benefits to over 130 million Americans.

The NCB believes the court should have reconsidered the case, as had been requested by the Golden Gate Restaurant Association, as well as the U.S. Department of Labor and numerous national associations representing thousands of employers who argued that permitting San Francisco to impose its own requirements for health benefits on employers in its city lines would quickly lead to many more states, more counties and more cities doing the same.

"The result would be extraordinary complexity, confusion, and added costs for all employers and their workers, and ultimately would lead to higher health costs or fewer benefits for employees. This is precisely what Congress intended to preclude when ERISA was enacted in 1974," Reiser said.

The NCB believes now it is time to look to the Supreme Court to resolve this issue. We anticipate and look forward to the Supreme Court hearing this case quickly in order to reaffirm their long-standing position that employer-sponsored benefits are solely governed under ERISA's comprehensive legal framework.