



The Iowa Automotive Recyclers NEWS

JUNE/JULY 2010

Associate Member Profile LSB Financial Petersen-Hill Insurance

Since its founding in 1902, Lincoln Savings Bank (LSB) has been devoted to serving the people of Iowa. LSB Financial Petersen-Hill Insurance, a subsidiary of Lincoln Savings Bank, extends traditional banking capabilities to include insurance, investments, trust, real

estate and more. Together, Lincoln Savings Bank and LSB Financial Petersen-Hill Insurance operate seamlessly to be your complete financial service provider.

With fourteen locations across Iowa, LSB Financial Petersen-Hill Insurance is a Trusted Choice® independent insurance agency that believes in more than just selling an insurance policy. As an independent agency, LSB Financial Petersen-Hill Insurance can shop various markets to find the best combination of insurance programs that meet your specific needs and budget. With over fifteen years of experience in the auto recycling industry, Senior VP of Commercial Insurance, Pete Hill, has seen



significant changes in both industries: "We (as an agency) have to do more than simply deliver a policy; we want to be your risk management consultant and help your business develop practices that reduce risk."

LSB Financial Petersen-Hill Insurance developed a

risk management program specifically for the Auto Recycling industry. "We apply loss control principles and accident prevention techniques to a business's actual and potential loss source" says Hill. The professionals at LSB Financial Petersen-Hill Insurance want to share a few highlights of the program:

- Exposure Review- We want to get to know you and your business. We will evaluate your current situation and future plans to ensure that correct program is developed for your needs. It might be writing a new policy, assistance with OSHA regulations, implementation of a safety program, updates to a safety library or helping with an audit; these are cru-



LSB continued on page 13

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The Iowa Recycler is published six times per year for the Iowa Automotive Recyclers. None of the material in this publication necessarily reflects the opinion of IAR, it's officers, directors, staff, members or it's Publisher. Statements of fact and opinion are the responsibility of the author alone.

Articles and letters suitable for publication will be published in the next scheduled newsletter as space permits. Material should be sent to the Executive Director, Kelly Lynch-Salseg. Articles may be edited for length.

Throughout this issue, trademarked names are used. Rather than place a trademark symbol in every occurrence of a trademarked name, we state we are using the names only in an editorial fashion, and to the benefit of the trademark owner, with no intention of infringement of the trademark. Mention of trade names, commercial products, or techniques does not constitute endorsement or recommendation for use.

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Iowa Automotive Recyclers Teleconference Board Meeting

Tuesday, March 2, 2010, 10:00 AM

President Mike Waterbury called the meeting to order at 10:11 a.m. **Members present were:** Mike Waterbury, Mike Swift, Kelly Salseg, Tracy Hurst, Joel McCaw, David Hesmer, Eric Piper, Dave Wood, Jodi Kunde, Brent Nugent, Tim Smith, Scott Frank and Jeff Smid.

MEMBERSHIP: Kelly asked for a vote on the following Direct Member renewals: A & L, B& B, Boyes Auto, Carroll Auto Wrecking (DM), Delp, Grab & Go, Hawkeye, Hurst, John's Auto (Aplington), Lems, Sanborn Auto, Smitty's and Van Corp. Brent made a motion to accept their renewals with a second from Eric; after some discussion the motion carried. Kelly then asked for a vote on the following Associate Member renewal: The Locator. David made a motion to accept this renewal. Jeff seconded the motion; motion carried. Kelly reported on who has not renewed so that calls could be made to those members.

Kelly then had two new Direct members. One of them was Holiday Wrecker Service who it was decided after some discussion should be an Associate Member rather than a Direct Member. Mike S. made a motion to accept them as an Associate Member with a second from David; motion carried. The next

new member was Monson Salvage, Inc. David H. made a motion to accept Monson as a Direct Member. Mike S. seconded the motion; motion carried.

IADA: Mike S. asked the board about attending the IADA convention in March at Lake Panarama. Mike S. said we could set up a booth there at no charge to us. He will send information to the board members about this convention.

CMARC: Kelly reported on the vendors who have paid so far. She said there will be follow-up calls and emails made to other vendors. Mike S. gave us an update on the demolition derby. He said Butch from Smitty's will be the promoter and do all the work to get it organized. It will be open to the public and Mike S. has flyers if anyone would like some. Both Alters and Behr will be there with trailers and any scrap income will come back to the CMARC fund.

There will be golfing at CMARC if the weather permits. Kelly said attendance packets will go out next week. Kelly asked about auction items and several board members said they were making something or bringing items. Everyone needs to let Kelly know what their plans are for auction items so she can make a list before the meeting. There will also be a 50-50 raffle.

LEGISLATIVE: Mike S. said he sent everyone a copy of Jim Piazza's signed contract. It was reported that calls are being made to raise more money. Jodi said the Pay Pal is working now and being used.

FALL OUTING: It was decided to hold the meeting at Honey Creek Resort at Lake Rathbun sometime in September. Kelly will do some checking into available dates and costs and get back to us on that. Eric offered to have a yard tour in Bloomfield

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which is 40 miles from Honey Creek so busses will be needed.

OTHER BUSINESS: Mike S. said the Iowa Collision Repair Associate convention will be held on April 22, 2010 in Storm Lake at King's Point Resort. He said there will be a round table discussion that would be good for a few board members to attend. He is planning to go to the convention as well as Tracy. He will get more information out to everyone in the next week.

Jodi reported she has received some scholarship applications; the deadline was Monday, March 1, 2010. She will update that information at the next meeting.

There was a motion by David to adjourn with a second from Brent. The meeting was adjourned at 11:05 a.m.

Respectfully submitted,
Jeff Smid, Secretary

From the Executive Director's Desk

By Kelly Salseg

The first ever Central Midwest Auto Recyclers Convention (CMARC) has come and gone and what a great gathering it was. Make sure to look further in this issue of the newsletter for coverage on this great event. For those of you that were not able to attend CMARC, I strongly encourage you to put next year's CMARC gathering at the top of your MUST DO list.

One of the main goals of the Iowa Automotive Recyclers (IAR) is to "inform and educate, and provide the opportunity to meet others in the dismantling field with whom you share common interests and goals." Then annual convention and trade show is one of the main vehicles we have at our disposal towards this aim and I encourage you to take advantage of this opportunity to learn how to handle many of the industry issues that you may be facing now or may be looming on the horizon.

Not all of you may be in a position to support your IAR association by serving on the board but each and everyone one of you can support your IAR association by making sure you are involved and participating in the events – CMARC, IAR Annual Fall Meeting - that the IAR staff and board work so hard to pull together on your behalf. By attending and par-

ticipating in these events – not only are you supporting your association – you are also making an invaluable investment in your own business.

IAR has started the planning process for our next planned gathering – IAR's Annual Fall Meeting – most likely being scheduled for a weekend in September. Be on the lookout for information on this gathering coming your way over the next several months. Make an investment in your business; make an investment in your association – and **PLAN ON ATTENDING!!**

Have a safe and fun filled summer!

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Hawkeye Auto Salvage	De Soto	Walker Auto Salvage, Inc.	Waverly
High Country Auto	Cherokee	Waterloo Auto Parts, Inc.	Waterloo
Hulett & Sons Auto Salvage	Creston	West Edge Auto Salvage	Independence
Hurst Salvage	Spencer	Wilken & Sons	Nashua, Waukon
JBS Auto Parts, Inc.	Britt	Wrench 'N Go	Des Moines
Jeff Smid Auto, Inc.	Iowa Falls	Yaw Auto Salvage	Des Moines
Jerry Carney & Sons	Ames		
John's Auto	Aplington		
Kabele Truck & Auto Parts	Spirit Lake		
Lems Auto Recyclers	Doon		
Leon Recycling & Auto Parts LLC	Leon		
Lyle's Auto Salvage	Oto		
Midwest Auto Parts, Inc.	Waterloo		
Monson Salvage, Inc.	Lone Rock		
North End Auto Wrecking	Dubuque		
Nugent Auto Sales, Inc.	Maquoketa		
Osage Auto Salvage	Osage		
Pat's Auto Salvage	Waterloo		
Poell's Enterprises Inc.	DeWitt		
P.Q. Auto Parts	Sioux City		
Quandt Auto Salvage	Carroll		

WELCOME TO IAR'S NEW MEMBERS

ASSOCIATE MEMBER HOLIDAY WRECKER SERVICE, INC.

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Tiffin, IA 52340

Contact: Jere Wissink, President

Phone: 319-351-9091

Toll Free: 800-383-9091

Fax: 319-545-5003

Email: holidaywrecker@southslope.net

I-CARE Action Items: Put This on Your “To Do List”

It's been a big year for the Iowa – Certified Automotive Recyclers Environmental (I-CARE) Program. Since the last Earth day we've implemented **the I-CARE Program. 16**

Members are now I-CARE Certified with another **7 Audits** scheduled this spring.

During the year we've identified a need to develop a **Safety Subscription** for easy and convenient safety training materials delivered via email. *I-CARE Certified yards* have implemented **Storm Water Pollution Prevention Plans** and acquired **Household Hazardous Materials** permits, the two most commonly overlooked regulatory items identified in the Gap Analysis. Yards are sampling storm water runoff and seeing improvements from the implementation of Best Management Practices.

All in all it's been a good GREEN year for Iowa Automotive Recyclers. But what can the collective experience of certified members do for the yards that are not certified? Read on...

Get a Household Hazardous Materials permit from the Iowa Department of Revenue.

Automotive salvage yards that sell any household hazardous material in Iowa, in any amount, must obtain a Household Hazardous Material (HHM) permit from the Iowa Department of Revenue. Iowa retailers that sell Household Hazardous Materials are also required to participate in a consumer information program which includes posting information about HHM (labels, signs, and brochures that can be obtained from the DNR). For questions about the \$25 annual permit fee contact the Iowa Department



of Revenue at (515) 281-3363. The HHM Retailer Permit can be downloaded and printed at <http://www.state.ia.us/tax/forms/78005.pdf>.

For more information about the Iowa Household Hazardous Materials program visit the Iowa Department of Natural Resources website at <http://www.iowadnr.gov/waste/hhm/index.html>.

Household Hazardous Material commonly sold at salvage yards include;

*Antifreeze, Batteries,
Windshield wiper fluid,
Oil and Oil filters.*

Begin to buy green tip fluorescent light bulbs and recycle the other ones as they burn out.

Fluorescent bulbs are mercury-containing lamps regulated by the Universal Waste Rule (40CFR273) to encourage recycling. These lamps are exempt from the more stringent management standards for hazardous waste if recycled. Although salvage yards generate very few bulbs each year special handling is required, see this website for more information: <http://www>



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.sueschauls.com/#anchor_36

- Store spent fluorescent bulbs in a sturdy container to prevent breakage during accumulation, storage, and transportation. Label the storage container "Used Lamps" and mark it with the date the first bulb was placed in the container to document the one-year time limitation.
- Provide proper training to employees responsible for the storage of used lamps (i.e. storage, labeling, etc.) and capture and contain all accidental releases from broken lamps with the same care as other hazardous waste.
- Recycle used lamps through a bulb recycling facility. The recycler will provide storage containers upon request. Maintain the shipment record until disposal is completed.



Identify a Safety Supervisor and conduct monthly Safety Training at your facility.

Yards should conduct occupational safety and health employee training as mandated by federal and state OSHA rules as well as training on the safe use of gas cutting torches, if used at the facility. Additionally, some environmental regulations require employee

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training be conducted annually and documented to maintain compliance. The **Safety Subscription** is available to any Iowa Automotive Recycler for the subscription price of \$179 per year. The Safety Subscription is a monthly safety email (around the 25th of each month) that includes one safety topic and an employee training log. Each month the topic will include timely and pertinent safety information that will meet all I-CARE and ARA CAR certification requirements, environmental regulatory compliance and industry specific safety awareness.

Post Required Employee Information Signage.

Iowa Workforce Development has compiled workplace appropriate signs available to download. View the list of signs at: <http://www.iowaworks.org/reposters.htm>. Some signs are required and others

are recommended. A state of Iowa "9-in-1" poster, which includes all state and federal required labor and employment law notices, is now available at no cost to Iowa employers. The poster includes all current language including the federal Family and Medical Leave Act revised in 2009 but does NOT include the new GINA Law (Sue will send the supplement to you via email. Request one at Schauls3@mchsi.com).

Iowa Workforce Development provides this all inclusive poster as a convenience for Iowa employers. Copies of the poster can be obtained at any one of the 55 Iowa Workforce Development Centers across the state. www.iowaworkforce.org. **You will receive a free copy at your I-CARE Audit.**

The mandatory **Iowa Smoke Free Air Act poster** is not included in the 9-in-1 regulatory poster as the smoke



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Insurance for Auto Recyclers

Tracy Jones
Vice President

Trissel Graham & Toole
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free poster is designed to be displayed where customers can view the information. Sample signs can be obtained at <http://www.iowasmokefreeair.gov/signs.aspx>.

**Be familiar with
<http://www.sueschauls.com>**

Did you know that this website exist just for Iowa Automotive Recyclers information? Yes, www.SueSchauls.com was developed as a way to provide information about regulatory compliance to Iowa Automotive Recycler. Look through the website and use the resources out there.

Look what you will find:

- ✓ Hazardous Waste Log http://www.sueschauls.com/Haz_Waste_Inventory_log.pdf
- ✓ Employee training Tools http://www.sueschauls.com/index.html#anchor_27
- ✓ Cutting Torch Protocol http://www.sueschauls.com/Cutting_Torch_Employee_Training.pdf
- ✓ Mercury Switch Poster <http://www.sueschauls.com/MercPoster.pdf>
- ✓ Hybrid Dismantling <http://www.sueschauls.com/hybrid.html>
- ✓ New Auto Body Paint Rule <http://www.sueschauls.com/autobody.html>
- ✓ Used Car Dealers License Renewal Class Schedule <http://www.sueschauls.com/EnviroEd.html>
- ✓ How to Sample Storm Water <http://www.sueschauls.com/Storm-Water.html>

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Robert K. Schoof
Manager

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Helping the Iowa Automotive Recyclers PAC Just Got Easier

As you all know, the Iowa Automotive Recyclers PAC Fund is funded through donations. It is intended to help get our voices & concerns heard at the capitol.

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***Please consider
donating to
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TODAY!***

Major Recycling Bill Passes

The Iowa Legislature continued its commitment to recycling with the passage of House File 2496.

This major policy bill establishes a state Green Advisory Committee, made up of members appointed by statewide organizations involved in recycling, solid waste and product manufacturing. The Iowa Recycling Association is responsible for appointing four members to the Committee. The areas of expertise for each appointee are:

- 1) One member with expertise in the recycling of paper and cardboard;
- 2) One member with expertise in the recycling of plastic and glass;
- 3) One member with expertise in the recycling of metals that are not located in or that are not from a scrap yard;
- 4) One member with expertise in the collection, recycling, and reprocessing of waste tires.

The Advisory Committee will do the following:

- 1) Submit a report to the Legislature which includes recommendations for creating, administering, funding, and periodically reviewing a

green certification program. "Green certification" means certification granted to a business that meets certain minimum requirements or

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standards in waste reduction, reuse, and recycling.

- 2) Make recommendations to the DNR for the development and implementation of a recycling vendor and resource green list to be available statewide.
- 3) Make recommendations to the DNR for the development and implementation of an ongoing, statewide communication and outreach educational resource program for all sectors of recycling. The program should educate consumers regarding currently available programs, promote the usage of recycling

programs and initiatives, and educate and market programs in development. The communication and outreach educational program may include a recycling internet site that serves as the central recycling resource. The department may contract with a not-for-profit third-party vendor to deliver the communication and outreach program.

Also included in the bill is direction for the DNR to convene meetings as necessary to develop recommendations for the establishment of measures sufficient to provide stewardship of waste tires as well as to promote the recycling and reuse of such tires.

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Abigail Van Buren

Day by Day



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LSB continued from cover

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- Insurance Marketing- Just because a company will write a risk does not mean it should be placed there. As your independent agents, we represent companies that write auto recyclers nationwide. It is our job to find the right company for you.

- Claim Management- Claims will happen.

We work on your behalf to minimize the disruption to you and ensure that your claim is handled in a fair and prompt manner.

- Contract Review- Policy changes do not happen at your renewal. Instead, these changes take place during the policy period. It is important for us to review your business throughout the year to ensure you are covered completely and correctly.
- Service, Service & Service- Our entire insurance department is fully licensed and make all changes in-house. You will never have to deal with a recording and you will always get a prompt callback.

Adam Brickley, Assistant VP of Commercial Insurance is the newest member to the LSB Petersen-Hill team and focuses on Auto Recyclers across the Midwest.

"We don't pretend to have all the answers. With that said, it's our obligation to provide solutions for our clients. We have the resources at our disposal and will work diligently to provide answers" says Brickley.

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LSB Financial Petersen-Hill Insurance is a proven supporter of IAR and the auto recycling industry. Besides being an Associate Member of IAR, LSB Financial Petersen-Hill Insurance takes pride in being an advocate for the auto recycling industry. States Brickley, "We are constantly trying to adapt the industry on a local, regional and national level. We continue to back the I-CARE Program and other associations across the Midwest. Our goal is to build an insurance solution around your business with your long-term goals in mind."

FOR MORE INFORMATION, CONTACT:

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PETERSEN-HILL INSURANCE



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Adam Brickley

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Full-Line Core 812-447-0746	RJ McClellan, Inc. 877-525-4589	Wheeler's Auto Body Supply 888-294-1320

Scrap Commodities Market Report – April 2010

Approximate Pricing

Crushed Cars	225.00 NT	Copper Radiators	1.50/LB
Prepared Iron	240.00 NT	Aluminum Case Transmissions	0.18/LB
Motor Blocks	170.00 NT	Dirty Aluminum	0.20/LB
Aluminum Rims	0.80/LB	Batteries	0.25/LB
Aluminum Condensers	0.64/LB	Lead Wheel Weights	0.40/LB

*This Report is for the sole purpose of informing members of current metal market activity.

**For more accurate and current pricing call your scrap metal vendor.



Why Should You Join Iowa Automotive Recyclers?

NEWSLETTER - The Iowa Automotive Recyclers News, *free to all members*, is mailed out six times a year. The newsletter will keep you up-to-date on IAR members, events, current legislation, business and market conditions, industry related news, announcements, advertisements and more.

IAR WHO'S WHO MEMBERSHIP DIRECTORY - A listing of all IAR members, which is distributed annually to members, insurance adjusters, and other associated businesses. *FREE LISTING to IAR members!*

ANNUAL MEETING - *Free to all members*. Every fall, IAR members and their families meet to choose future leadership in the organization, attend educational sessions, exchange ideas and information, meet and socialize with others in the industry and have fun!

CENTRAL MIDWEST AUTO RECYCLERS CONVENTION - Teaming up with the Illinois & Indiana associations, IAR hosts this new convention and trade show for the Central Midwest region.

LEGISLATIVE REPRESENTATION - IAR retains a lobbyist who monitors the state legislature for actions which affect IAR members.

WEB SITE - www.iowaautorecyclers.com - An information source for recyclers, body and repair shops, and retail customers. Our Members Page contains complete contact information and web site links to all IAR members - *FREE!* Parts Search area provides an opportunity for IAR members to sell their parts.

MEMBERSHIP PLAQUE - All IAR members are provided with a plaque denoting membership in IAR, for daily display in their place of business.

IMPROVED PUBLIC AWARENESS AND RESPECT - By working together, IAR members promote awareness of the advantages of recycling.

MEMBER OF AUTOMOTIVE RECYCLERS ASSOCIATION - IAR is an affiliate of the international Automotive Recyclers Association and receives valuable information and alerts - which are passed on to IAR members.

SCHOLARSHIPS - Developed to provide annual post-secondary educational scholarships to children of IAR members and their employee's children.



Iowa Automotive Recyclers Application for Membership

Company Name _____

Contact Person & Title (Name in directory) _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax _____

E-mail: _____ Web Site: _____

Recyclers License # (If applicable): _____

Dealers License # (If applicable): _____

ENCLOSED IS MY IAR MEMBERSHIP CHECK:

- \$250.00 Regular Membership**
(businesses which dismantle and sell used parts)
- \$150.00 Associate Membership**
(suppliers to the industry and out-of-state dismantlers)

*Rates are based on annual membership.
Membership subject to approval of IAR Board.*

Signature: _____

**Please return this form with your membership check to:
Iowa Automotive Recyclers, 3333 Skycroft Circle, Minneapolis, MN 55418**

Iowa Automotive Recyclers Code of Ethics

1. To promote goodwill by maintaining fair business practices and the very highest standards possible in the sale of all parts.
2. To sell high quality parts, recognizing a fair price structure, free of deceptive practices and misrepresentations.
3. To work towards customer satisfaction through parts guarantees whenever possible and when necessary, make reasonable adjustments.
4. To give courteous and fair treatment to all customers, answer all questions and make every effort to satisfy any reasonable complaint.
5. To cooperate with law enforcement authorities to help curb theft of both autos and parts.
6. To make every effort to work towards clean and orderly working conditions and attractive business locations.
7. To advertise our products honestly, avoiding false, misleading and deceptive statements, in order to maintain goodwill and good faith in our industry.
8. To make every effort for customers in finding the parts they need through parts locating services.
9. To support the policies and regulations of the Iowa Automotive Recyclers, and to abide by the standard trade practices of the Automotive Recyclers Association.



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Last week President Obama signed into law H.R. 3590, The Patient Protection and Affordable Care Act. This sweeping reform law includes many provisions that will impact both employers and employees. H.R. 3590 passed the House by a vote of 219-212. The House also simultaneously passed a reconciliation bill - H.R.4872 - containing “fixes” that amend the health reform bill. The reconciliation bill also passed and has been sent to President Obama for his signature.

Key provisions that will impact your business follows:

Small business health tax credit - Requires small business owners to complete a series of tests to determine the actual amount of the credit. Only businesses with 10 employees or less are eligible for the credit. For firms with 11-25 employees, the credit is reduced per employee. Firms with more than 25 employees are not eligible for the credit. Also, only firms who pay their workers \$25,000 or less are eligible for the full credit. The credit is reduced as the average wage goes up, stopping at

\$50,000. The credit is only available for a maximum of five years.

Employer Requirement – Penalties would be assessed on employers with 50 or more employees, who fail to offer coverage to employees. The penalty would be assessed if even one employee receives a subsidy to purchase coverage through a health insurance exchange. Employers would also incur penalties if the coverage they offer is considered “unaffordable” to the employee or if the health plan has an actuarial value of less than 60 percent or pays less than 60 percent of covered health care expenses.

Individual Requirement – The new law requires individuals to purchase health insurance coverage or pay a tax penalty beginning in 2014. The penalty, which is phased in, starts at \$95 or 0.5% of income per individual in 2014 and increases to \$750 or 2% of income in 2016. The penalties for families would be capped at \$2,250. Religious and hardship exemptions are available.

Excise Tax on High - Value Health Plans (“Cadillac” tax) – Employers offering health plans that exceed a certain cost (the total employee and employer cost) would be subject to an excise tax on the amount above that value. For individual coverage, the threshold would be \$8,500; for family coverage, the threshold would be \$23,000. These thresholds would be indexed at Consumer Price Index plus one percentage point. Certain high-risk provisions would have a higher cost threshold.

Insurance Market Reforms – The new law requires insurance plans to provide coverage to any individual who requests insurance. It also includes a prohibition on pre-existing condition restrictions in the individual and small group health care market. Health insurance premiums would be allowed to vary based only on tobacco use, age, family composition, and geographic location. Large businesses that purchase coverage through a health care exchange would be eligible for the above insurance protections. Both self-insured and fully-insured plans are required to provide dependent coverage for children up to age 26. Health plans are also prohibited from establish-

ing annual and lifetime dollar limits on coverage.

Wellness Programs – Employers can offer increased incentives or rewards to employees for participation in a wellness program or for meeting certain health status targets beginning in 2014. Rewards or premium reductions up to 30 percent of the cost of coverage are now permissible.

Free Choice Vouchers – Employers offering coverage are required to provide “free choice vouchers” to qualified employees to purchase insurance through the exchanges. To be eligible for a voucher, an employee’s contribution under the employer’s plan would be between 8 percent and 9.8 percent of income, and the employee’s income would be at or below 400 percent of the Federal Poverty Level.

Flexible Spending Accounts (FSAs) – Contributions to health FSAs would be capped at \$2,500 beginning in 2011 and over-the-counter medicines would only qualify for reimbursement with a doctor’s prescription.

Medicare Hospital Insurance Tax – Beginning in 2013, an additional Medicare tax of 0.9 percent is imposed on individuals with income in excess of \$250,000 for joint filers or \$200,000 for single filers.

ARA is committed to helping you understand this new law and to aid you in preparing for its implementation. Additional resources will be made available to members on the ARA web site to help you navigate through this complex issue.

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The New Health Care - What You Need To Know

The Small Business Tax vs. The Business Tax Credit

How will the Patient Protection and Affordable Care Act (HR 3590) affect your business? ARA has a summary of the bill, section by section, to provide members with a clear analysis of the provisions.

Small businesses have consistently said that controlling the increasing costs of health insurance premiums is their No.1 concern. Contained within the bill is a "health insurance fee" which was included as a way to help small businesses afford the new health care plan. Conversely, the health insurance tax included in the bill raises small business

health insurance premiums.

SMALL BUSINESS TAX CREDIT

The Proposed Credit

The small business health tax credit included in the Healthcare Reform law provides a 35% tax credit for the employer's healthcare costs. The credit is available from 2010 to 2013 and then a 50% credit is available for two additional years if the employer purchases coverage in the health insurance exchange.

A business with 10 or fewer employees with a per employee compensation level of \$25,000 or less is eligible for the full credit. The credit phases out in two ways:



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- **The number of employees from 11 to 25 and**
- **Compensation between over \$25,000 up to \$50,000.**

An employer must pay 50% of the cost of the employee's coverage to be eligible for the credit.

Concerns about the credit's effectiveness

The number one challenge facing small employers that provide health insurance is the rising cost. Small businesses tend to operate on a very thin profit margin, so any increase in the cost of doing business – such as annual, double-digit premium increases – presents a real challenge to small business owners.

The tax credit included in the healthcare law can be helpful for some small businesses. But because of the many conditions attached to the credit its impact is limited. Specifically:

- **The availability of the credit is too short.** A credit that is only available for two years inside the exchange means that every small business owner that claims the credit will see a large spike in their out-of-pocket costs for healthcare in year three. While the credit goes away, the healthcare costs do not.
- **The Conditions are too restrictive.** Phasing the credit out based on two factors – number of employees and average wages – means that the amount of the credit is reduced faster. In addition, adding conditions like purchasing minimum coverage, paying 50% of the costs, or buying insurance in the exchanges means that fewer businesses will qualify for the credit.

To learn whether the credit will help you, visit the IRS web site for more information.



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The new health care law includes a small business tax credit, which supporters claim will help business owners provide health insurance to their employees. However, the credit included in the new healthcare law may or may not provide the kind of benefits that will assist small businesses and their employees.

THE HEALTH INSURANCE FEE A TAX ON SMALL BUSINESSES AND THE SELF-EMPLOYED How does the tax work?

Misnamed as a "health insurance fee," this tax is actually a direct tax on small business. The new health-care law assesses a tax on all health insurance companies based on their "net premiums" written. The tax will raise \$8 billion starting in 2013 and \$14.3 billion in 2018 and later years. The amount of the tax that the insurance company is responsible for is equal to the percent of the market that the insurance company covers. The larger the insurance companies market-share, the higher their annual health insurance tax. One thing insurers made clear throughout the health-care debate: new taxes on them mean new costs passed along to customers. The group that experiences the most cost-shifting is the fully-insured market.

How does this new tax increase the cost for small business?

1. A health insurance company is defined to specifically exclude employers that self-insure.

Most small business owners do not self-insure because they do not have a large enough pool of employees. Instead, small employers purchase health insurance in the fully-insured market. Because the self-insured plans are exempted from the tax for purposes of determining the insurance company's portion of the fees, the only insurance plans that factor into the equation are fully-insured plans – *the plans that 87 percent of small business owners purchase.*

2. While the fees are assessed on the insurance company, those companies have two choices: either eat the costs or pass the costs on to their customers. Because this fee will eat into the bottom line of the company, they will certainly pass these costs along to their customers. A recent Congressional Budget Office (CBO) report confirms that the small business insurance tax "would be largely passed through to consumers in the form of higher premiums for private coverage." And a study by the Federal Policy Group found that the amount of taxes passed on to the typical family of four in their health insurance premiums could be as much as \$500 per year.

You may think that the health care battle is over, however, there is more to come. The next step is for federal agencies to interpret the laws by correcting regulations which will determine how the legislation will be implemented. We will continue to work in collaboration with our small business partners - the Small Business Coalition for Affordable Health Care - as relevant federal agencies initiate their rulemakings.

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