

## Publications

## Employers Should Move Ahead Despite ACA Questions

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*Columbus C.E.O.*

Jolie Havens, a partner in the Vorys Columbus office and chair of the firm's health care group, authored an article for *Columbus C.E.O.* titled "Employers Should Move Ahead Despite ACA Questions." In the article, Havens indicates that Ohio employers are wondering whether recent court decisions give them a reprieve from preparing for the Affordable Care Act's (ACA) employer penalties. She says that, at this point, the decisions do not offer employers a reprieve.

The article states:

*"First, the D.C. Circuit decision is jurisdictionally limited and has not yet taken effect. Whether it will be upheld on appeal or gain broader acceptance is unknown.*

*Second, broader implementation of the decision carries potentially massive consequences in states with Federally-Facilitated Marketplaces. Because employer penalties are triggered only when one or more full-time employees obtains subsidized marketplace coverage, elimination of subsidies in states with Federally-Facilitated Marketplaces would eliminate employers' penalty exposure in those states.*

*While this outcome may be attractive to single-state employers, multi-state employers are likely faced with the same old headaches and perhaps a few new ones."*

To read the entire article, visit the *Columbus C.E.O.* [website](#).