



**Opening Statement of Rep. Bob Good (R-VA), Chairman
Subcommittee on Health, Employment, Labor, and Pensions
Hearing: “ERISA's 50th Anniversary: The Path to Higher Quality, Lower Cost
Health Care”
April 16, 2024**

(As prepared for delivery)

Fifty years ago, President Ford signed into law the Employee Retirement Income Security Act of 1974, better known as ERISA. For half a century, ERISA has stood as the cornerstone of our nation's commitment to safeguarding the benefits of hardworking Americans.

Congress has a responsibility to not merely create laws but to conduct genuine oversight and better understand how the laws we pass impact the lives of our constituents. Today’s hearing is a response to feedback from nearly 100 stakeholders on ERISA’s implementation. As we prepare to discuss ways to improve the law, we should first recognize the vital role ERISA plays in ensuring access to employer-sponsored benefits, especially as it relates to health care.

ERISA's strength lies in its preemption provisions, which provide employers with the certainty to offer consistent and comprehensive benefits across state lines. Without ERISA, multi-state employers would be left to navigate a patchwork of state mandates and onerous regulations.

Efforts to undermine ERISA preemption threaten the stability of employer-sponsored health insurance. Without it, costs could rise for employers and employees alike. Unfortunately, a single-payer health care system is the actual goal of the Democrats on the other side of the aisle.

Because ERISA reduces regulatory burdens, it allows employers to innovate to meet the needs of their employees and adapt to the evolving health care landscape. For

example, when telehealth exploded overnight because of COVID, employers were able to quickly respond by creating new telehealth coverage options.

Business owners drive American ingenuity. Almost anything the government does, the private sector can do better, and this especially applies to health care. ERISA allows employers to pursue new avenues for improving health care delivery and outcomes. ERISA fosters an environment where free markets can work and expand access to new, cutting-edge treatments and benefits.

However, the health care system of 2024 is vastly different than that of 1974. It's clear from the responses of stakeholders that there are ways to strengthen and improve current law. Clarifying fiduciary responsibilities for employers, promoting competition by preventing self-dealing, and facilitating greater data sharing are just a few of the steps we can take to empower job creators with the tools they need to lower health care costs and improve the quality of coverage for their employees.

For too long, Congress has allowed the Medicare-for-all mentality to dominate our health care conversations, ignoring the fact that the majority of Americans don't have—and don't want—government health care. In fact, 153 million Americans have employer-sponsored health benefits. The private health care system isn't perfect, but a 2021 survey by Employee Benefits Research Institute and Greenwald Research showed that 63 percent of employees are satisfied with their coverage.

I believe that more employer-driven flexibility, innovation, and competition will do far more to decrease health care costs than government-controlled price setting ever will. That's because competition in the free market drives down costs, while government-subsidized health care places a greater burden on American taxpayers.