

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the Patient Protection and Affordable Care Act to ensure that individuals can keep their health insurance coverage.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H. R. 3762

To provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. JOHNSON (for himself and Mr. GARDNER) to the amendment (No. 2874) proposed by Mr. McCONNELL

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . AMENDMENT TO THE PATIENT PROTECTION AND**
3 **AFFORDABLE CARE ACT.**

4 (a) IN GENERAL.—Part 2 of subtitle C of title I of
5 the Patient Protection and Affordable Care Act (42
6 U.S.C. 18011 et seq.) is amended by striking section 1251
7 and inserting the following:

8 **“SEC. 1251. FREEDOM TO MAINTAIN EXISTING COVERAGE.**

9 **“(a) NO CHANGES TO EXISTING COVERAGE.—**

1 “(1) IN GENERAL.—Nothing in this Act (or an
2 amendment made by this Act) shall be construed to
3 require that an individual terminate coverage under
4 a group health plan or health insurance coverage in
5 which such individual was enrolled during any part
6 of the period beginning on the date of enactment of
7 this Act and ending on December 31, 2013.

8 “(2) CONTINUATION OF COVERAGE.—With re-
9 spect to a group health plan or health insurance cov-
10 erage in which an individual was enrolled during any
11 part of the period beginning on the date of enact-
12 ment of this Act and ending on December 31, 2013,
13 this subtitle and subtitle A (and the amendments
14 made by such subtitles) shall not apply to such plan
15 or coverage, regardless of whether the individual re-
16 news such coverage.

17 “(b) ALLOWANCE FOR FAMILY MEMBERS TO JOIN
18 CURRENT COVERAGE.—With respect to a group health
19 plan or health insurance coverage in which an individual
20 was enrolled during any part of the period beginning on
21 the date of enactment of this Act and ending on December
22 31, 2013, and which is renewed, family members of such
23 individual shall be permitted to enroll in such plan or cov-
24 erage if such enrollment is permitted under the terms of
25 the plan in effect as of such date of enrollment.

1 “(c) ALLOWANCE FOR NEW EMPLOYEES TO JOIN
2 CURRENT PLAN.—A group health plan that provides cov-
3 erage during any part of the period beginning on the date
4 of enactment of this Act and ending on December 31,
5 2013, may provide for the enrolling of new employees (and
6 their families) in such plan, and this subtitle and subtitle
7 A (and the amendments made by such subtitles) shall not
8 apply with respect to such plan and such new employees
9 (and their families).

10 “(d) EFFECT ON COLLECTIVE BARGAINING AGREE-
11 MENTS.—In the case of health insurance coverage main-
12 tained pursuant to one or more collective bargaining
13 agreements between employee representatives and one or
14 more employers that was ratified before December 31,
15 2013, the provisions of this subtitle and subtitle A (and
16 the amendments made by such subtitles) shall not apply
17 until the date on which the last of the collective bargaining
18 agreements relating to the coverage terminates. Any cov-
19 erage amendment made pursuant to a collective bar-
20 gaining agreement relating to the coverage which amends
21 the coverage solely to conform to any requirement added
22 by this subtitle or subtitle A (or amendments) shall not
23 be treated as a termination of such collective bargaining
24 agreement.

1 “(e) DEFINITION.—In this title, the term ‘grand-
2 fathered health plan’ means any group health plan or
3 health insurance coverage to which this section applies.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall take effect as if included in the Pa-
6 tient Protection and Affordable Care Act (Public Law
7 111–148).