

112TH CONGRESS  
1ST SESSION

# H. R. 1915

To amend subtitle D of title I of the Patient Protection and Affordable Care Act to clarify Congressional consent to and expand flexibility for interstate health choice compacts.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2011

Mr. GRIFFITH of Virginia introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend subtitle D of title I of the Patient Protection and Affordable Care Act to clarify Congressional consent to and expand flexibility for interstate health choice compacts.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Compact Health  
5 Choice Act of 2011”.

1 **SEC. 2. CLARIFYING CONGRESSIONAL CONSENT TO AND**  
2 **EXPANDING FLEXIBILITY FOR INTERSTATE**  
3 **HEALTH CHOICE COMPACTS.**

4 (a) IN GENERAL.—Section 1333(a) of the Patient  
5 Protection and Affordable Care Act (42 U.S.C. 18053(a))  
6 is amended—

7 (1) in paragraph (1)—

8 (A) in the matter before subparagraph

9 (A)—

10 (i) by striking “Not later than July 1,  
11 2013, the Secretary shall, in consultation  
12 with the National Association of Insurance  
13 Commissioners, issue regulations for” and  
14 inserting “Subject to paragraph (3), the  
15 Congress consents to”; and

16 (ii) by striking “under which”;

17 (B) in subparagraph (A)—

18 (i) by inserting “under which” before  
19 “1 or more”;

20 (ii) by striking “qualified”; and

21 (iii) by striking “but, except” and all  
22 that follows through “resides”;

23 (C) by redesignating subparagraph (B) as  
24 subparagraph (C);

25 (D) by inserting after subparagraph (A)

26 the following:

1 “(B) that identifies which State law and  
2 regulations such plans shall be subject to; and”;  
3 and

4 (E) in subparagraph (C), as so redesign-  
5 nated—

6 (i) by inserting “that declares wheth-  
7 er, and to what extent,” before “the issuer  
8 of any”; and

9 (ii) by striking “qualified”;

10 (2) by amending paragraph (3) to read as fol-  
11 lows:

12 “(3) REVOCATION.—Congress may revoke the  
13 consent for an interstate compact under this sub-  
14 section if the Congress passes a joint resolution re-  
15 voking consent for such compact.”; and

16 (3) in paragraph (4), by striking “January 1,  
17 2016” and inserting “the last day of the year begin-  
18 ning on the date of the enactment of the State Com-  
19 pact Health Choice Act of 2011”.

20 (b) EXEMPTION FROM INDIVIDUAL MANDATE.—Sec-  
21 tion 5000A(e) of the Internal Revenue Code (26 U.S.C.  
22 5000A(e)) is amended by adding at the end the following:

23 “(6) INTERSTATE HEALTH CHOICE COM-  
24 PACTS.—Any applicable individual who for any  
25 month is determined to be covered by a health plan

1 offered under an interstate health choice compact  
2 entered into by a State under section 1333 of the  
3 Patient Protection and Affordable Care Act (42  
4 U.S.C. 18053).”

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