

112TH CONGRESS
1ST SESSION

H. R. 3299

To amend title XXVII of the Public Health Service Act to apply to retiree-only health plans the extension of dependent health coverage for individuals through 26 years of age provided for by the Patient Protection and Affordable Care Act.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2011

Mr. HINCHEY (for himself, Mr. FILNER, Mr. CLAY, Mr. JACKSON of Illinois, Mr. RANGEL, Ms. SLAUGHTER, Ms. MOORE, and Mr. HOLT) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and the Workforce, 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

A BILL

To amend title XXVII of the Public Health Service Act to apply to retiree-only health plans the extension of dependent health coverage for individuals through 26 years of age provided for by the Patient Protection and Affordable Care Act.

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

1 **SECTION 1. APPLICATION OF DEPENDENT HEALTH COV-**
2 **ERAGE EXTENSION UNDER PPACA TO RE-**
3 **TIREE-ONLY HEALTH PLANS.**

4 (a) IN GENERAL.—Section 2714 of the Public Health
5 Service Act (42 U.S.C. 300gg–14) is amended—

6 (1) in subsection (a), by inserting “(including a
7 group health plan and health insurance coverage de-
8 scribed in subsection (d))” after “health insurance
9 coverage”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(d) RETIREE-ONLY PLANS.—A group health plan
13 and health insurance coverage described in this subsection,
14 with respect to a plan year, is a group health plan (and
15 group health insurance coverage offered in connection with
16 a group health plan) that on the first day of such plan
17 year does not have any participants who are current em-
18 ployees.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) ERISA.—Section 732(a) of the Employee
21 Retirement Income Security Act of 1974 (29 U.S.C.
22 1191a(a)) is amended by inserting “and section
23 2714 of the Public Health Service Act, as made ap-
24 plicable by section 715” after “other than section
25 711”.

1 (2) IRC.—Section 9831(a)(2) of the Internal
2 Revenue Code of 1986 is amended by inserting “in
3 the case of any such requirements other than section
4 2714 of the Public Health Service Act, as made ap-
5 plicable by section 9815,” before “any group health
6 plan”.

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