

**MOTION TO RECOMMIT H.R. 3350, WITH
INSTRUCTIONS
OFFERED BY M__ . _____**

M__ . _____ moves to recommit the bill H.R. 3350 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Consumer Health Plan
3 Protection Act of 2013”.

4 SEC. 2. MAINTAINING EXISTING COVERAGE.

5 (a) IN GENERAL.—Notwithstanding any provision of
6 the Patient Protection and Affordable Care Act (including
7 any amendment made by such Act or by the Health Care
8 and Education Reconciliation Act of 2010), in the case
9 of health insurance coverage offered by a health insurance
10 issuer in the individual market that is in effect for an indi-
11 vidual as of October 1, 2013, the issuer may continue such
12 coverage for such individual for a plan year beginning in
13 2014 in such market outside of an Exchange established

1 under section 1311 or 1321 of such Act (42 U.S.C. 18031,
2 18041).

3 (b) TREATMENT AS GRANDFATHERED HEALTH
4 PLAN IN SATISFACTION OF MINIMUM ESSENTIAL COV-
5 ERAGE.—Health insurance coverage described in sub-
6 section (a) shall be treated as a grandfathered health plan
7 for purposes of the amendment made by section 1501(b)
8 of the Patient Protection and Affordable Care Act.

9 (c) NOTICE.—As a condition for a health insurance
10 issuer to continue health insurance coverage under sub-
11 section (a), the issuer shall provide for notice to each indi-
12 vidual to be offered such continued coverage (and for other
13 individuals covered under health insurance coverage of-
14 fered by such issuer for whom such continued coverage
15 is not offered) prompt notice of the following:

16 (1) The health insurance coverage options avail-
17 able to the individual through the Marketplace under
18 the Patient Protection and Affordable Care Act and
19 how to exercise such options.

20 (2) The premium and cost-sharing assistance
21 available for coverage obtained through such Mar-
22 ketplace.

23 (3) The consumer protections provided under
24 such Act that are not provided under the continuing
25 health insurance coverage.

1 (d) CONSTRUCTION REGARDING NOTICES OF CAN-
2 CELLATION OR CONVERSION.—

3 (1) IN GENERAL.—Nothing in this section shall
4 be construed to prevent the Secretary of Health and
5 Human Services from requiring State insurance
6 commissioners—

7 (A) to investigate and take appropriate ad-
8 ministrative or other actions (such as the im-
9 position of a fine) on cases of inadequate notices
10 of cancellations or conversions of health insur-
11 ance coverage in the individual market that
12 take effect on or after January 1, 2014; and

13 (B) to submit to the Secretary reports on
14 the investigations and actions so taken.

15 (2) INADEQUATE NOTICE.—In this subsection, a
16 notice of the cancellation or conversion of individual
17 health insurance coverage shall be treated as inad-
18 equate if the notice—

19 (A) fails to contain information contained
20 in subsection (c);

21 (B) fails to be transparent by inappropri-
22 ately steering individuals to more expensive
23 plans provided by the cancelling issuer; or

24 (C) fails to otherwise comply with require-
25 ments of law.

1 (e) CONSTRUCTION REGARDING PROTECTION
2 AGAINST DISCRIMINATORY RATES.—Nothing in this sec-
3 tion shall be construed as preventing the Secretary or the
4 relevant State insurance commissioner or State regulator
5 from taking corrective actions to ensure that any exces-
6 sive, unjustified, or unfairly discriminatory rates for the
7 continued coverage offered under subsection (a) are cor-
8 rected prior to renewal.

9 (f) CONSTRUCTION REGARDING PREMIUM PROTEC-
10 TION.—Nothing in this section shall be construed as pre-
11 venting the Secretary from using all available tools to en-
12 sure that Marketplace premiums are not adversely af-
13 fected by the operation of this section.

