

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5177

To amend the Patient Protection and Affordable Care Act to eliminate benefits under the Federal Employees Health Benefits Program for Members of Congress so they are treated the same way as other taxpayers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2014

Mr. MAFFEI (for himself, Mr. BARBER, and Mr. BARROW of Georgia) introduced the following bill; which was referred to the Committee on House Administration, 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 the Patient Protection and Affordable Care Act to eliminate benefits under the Federal Employees Health Benefits Program for Members of Congress so they are treated the same way as other taxpayers, and for other purposes.

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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Members Play By the Same Rules Act of 2014”.

1 (b) FINDINGS AND PURPOSE.—

2 (1) FINDINGS.—Congress finds that Members  
3 of Congress are subject to the mandatory coverage  
4 requirements of Affordable Care Act under section  
5 5000A of the Internal Revenue Code of 1986 in the  
6 same manner as other taxpayers, but are now per-  
7 mitted to meet such requirements through participa-  
8 tion and benefits under the Federal Employees  
9 Health Benefits Program (FEHBP).

10 (2) PURPOSE.—The purpose of this Act is to  
11 eliminate coverage of Members of Congress under  
12 FEHBP so they are treated in the same manner as  
13 other taxpayers.

14 **SEC. 2. ELIMINATING FEHBP BENEFITS FOR MEMBERS OF**  
15 **CONGRESS.**

16 Section 1312(d)(3)(D) of the Patient Protection and  
17 Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is  
18 amended by adding at the end the following new clause:

19 “(iii) ELIMINATION OF FEHBP BENE-  
20 FITS WITH RESPECT TO MEMBERS SERV-  
21 ING ON OR AFTER MARCH 23, 2010; INDI-  
22 VIDUAL COVERAGE THROUGH AN EX-  
23 CHANGE.—Notwithstanding any other pro-  
24 vision of law, effective as of January 1,  
25 2015, the following rules apply in carrying

1 out this subparagraph, chapter 89 of title  
2 5, United States Code, and section 5000A  
3 of the Internal Revenue Code of 1986:

4 “(I) ELIMINATION OF FEHBP  
5 BENEFITS.—In the case of an indi-  
6 vidual who serves as a Member of  
7 Congress on or after March 23, 2010,  
8 such an individual in the status as  
9 such a Member (including as a former  
10 Member or as a member of a family,  
11 former spouse, or survivor of such a  
12 Member or former Member) is not eli-  
13 gible to obtain coverage under, or any  
14 Government contribution towards the  
15 premium for, a health benefits plan  
16 under chapter 89 of title 5, United  
17 States Code.

18 “(II) INDIVIDUAL COVERAGE  
19 THROUGH AN EXCHANGE PLAN.—A  
20 Member of Congress representing a  
21 Congressional district in a State or, in  
22 the case of a Senator, representing a  
23 State may satisfy the minimum essen-  
24 tial coverage requirement of section  
25 5000A of the Internal Revenue Code

1 of 1986 through coverage described in  
2 subsection (f)(1)(C) of such Code (re-  
3 lating to coverage in the individual  
4 market) only through enrollment in a  
5 health plan offered through the Fed-  
6 eral or State Exchange for residents  
7 of such district or such State, respec-  
8 tively.”.

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