

113TH CONGRESS
1ST SESSION

S. 1617

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

OCTOBER 30, 2013

Mr. JOHNSON of Wisconsin (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. CHIESA, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GRASSLEY, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. KIRK, Mr. MCCAIN, Mr. MCCONNELL, Mr. MORAN, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, Mr. WICKER, Mr. GRAHAM, and Mr. CORKER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

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 “If You Like Your
5 Health Plan, You Can Keep it Act”.

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

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

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

8 “(a) NO CHANGES TO EXISTING COVERAGE.—

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

16 “(2) CONTINUATION OF COVERAGE.—With re-
17 spect to a group health plan or health insurance cov-
18 erage in which an individual was enrolled during any
19 part of the period beginning on the date of enact-
20 ment of this Act and ending on December 31, 2013,
21 this subtitle and subtitle A (and the amendments
22 made by such subtitles) shall not apply to such plan
23 or coverage, regardless of whether the individual re-
24 news such coverage.

25 “(b) ALLOWANCE FOR FAMILY MEMBERS TO JOIN
26 CURRENT COVERAGE.—With respect to a group health

1 plan or health insurance coverage in which an individual
2 was enrolled during any part of the period beginning on
3 the date of enactment of this Act and ending on December
4 31, 2013, and which is renewed, family members of such
5 individual shall be permitted to enroll in such plan or cov-
6 erage if such enrollment is permitted under the terms of
7 the plan in effect as of such date of enrollment.

8 “(c) ALLOWANCE FOR NEW EMPLOYEES TO JOIN
9 CURRENT PLAN.—A group health plan that provides cov-
10 erage during any part of the period beginning on the date
11 of enactment of this Act and ending on December 31,
12 2013, may provide for the enrolling of new employees (and
13 their families) in such plan, and this subtitle and subtitle
14 A (and the amendments made by such subtitles) shall not
15 apply with respect to such plan and such new employees
16 (and their families).

17 “(d) EFFECT ON COLLECTIVE BARGAINING AGREE-
18 MENTS.—In the case of health insurance coverage main-
19 tained pursuant to one or more collective bargaining
20 agreements between employee representatives and one or
21 more employers that was ratified before December 31,
22 2013, the provisions of this subtitle and subtitle A (and
23 the amendments made by such subtitles) shall not apply
24 until the date on which the last of the collective bargaining
25 agreements relating to the coverage terminates. Any cov-

1 erage amendment made pursuant to a collective bar-
2 gaining agreement relating to the coverage which amends
3 the coverage solely to conform to any requirement added
4 by this subtitle or subtitle A (or amendments) shall not
5 be treated as a termination of such collective bargaining
6 agreement.

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

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect as if included in the Pa-
12 tient Protection and Affordable Care Act (Public Law
13 111–148).

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