

114TH CONGRESS
1ST SESSION

H. R. 1624

To amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. GUTHRIE (for himself, Mr. CÁRDENAS, Mr. MULLIN, and Ms. SINEMA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

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 “Protecting Affordable
5 Coverage for Employees Act”.

1 **SEC. 2. REVISION OF DEFINITION OF SMALL EMPLOYER**
2 **UNDER HEALTH INSURANCE MARKET PROVI-**
3 **SIONS.**

4 (a) PPACA AMENDMENTS.—Section 1304(b) of the
5 Patient Protection and Affordable Care Act (42 U.S.C.
6 18024(b)) is amended—

7 (1) in paragraph (1), by striking “101” and in-
8 serting “51”;

9 (2) in paragraph (2), by striking “100” and in-
10 serting “50”; and

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

13 “(3) STATE OPTION TO EXTEND DEFINITION
14 OF SMALL EMPLOYER.—Notwithstanding paragraphs
15 (1) and (2), nothing in this section shall prevent a
16 State from applying this subsection by treating as a
17 small employer, with respect to a calendar year and
18 a plan year, an employer who employed an average
19 of at least 1 but not more than 100 employees on
20 business days during the preceding calendar year
21 and who employs at least 1 employee on the first
22 day of the plan year.”.

23 (b) PHSA AMENDMENTS.—Section 2791(e) of the
24 Public Health Service Act (42 U.S.C. 300gg–91(e)) is
25 amended—

1 (1) in paragraph (2), by striking “101” and in-
2 serting “51”;

3 (2) in paragraph (4), by striking “100” and in-
4 serting “50”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(7) STATE OPTION TO EXTEND DEFINITION
8 OF SMALL EMPLOYER.—Notwithstanding paragraphs
9 (2) and (4), nothing in this section shall prevent a
10 State from applying this subsection by treating as a
11 small employer, with respect to a calendar year and
12 a plan year, an employer who employed an average
13 of at least 1 but not more than 100 employees on
14 business days during the preceding calendar year
15 and who employs at least 1 employee on the first
16 day of the plan year.”.

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