

Union Calendar No. 28

116TH CONGRESS
1ST SESSION

H. R. 1386

[Report No. 116-50]

To amend the Patient Protection and Affordable Care Act to provide for additional requirements with respect to the navigator program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2019

Ms. CASTOR of Florida (for herself, Ms. BLUNT ROCHESTER, Ms. WILSON of Florida, and Mr. CRIST) introduced the following bill; which was referred to the Committee on Energy and Commerce

MAY 3, 2019

Additional sponsors: Mrs. MURPHY, Mr. KENNEDY, Mr. RUIZ, Mrs. DINGELL, Mr. RUSH, Mr. PALLONE, Ms. MATSUI, Ms. ESHOO, Mr. VAN DREW, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Ms. MUCARSEL-POWELL, and Mr. CISNEROS

MAY 3, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on February 27, 2019]

A BILL

To amend the Patient Protection and Affordable Care Act to provide for additional requirements with respect to the navigator program, 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.**

4 *This Act may be cited as the “Expand Navigators’ Re-*
5 *sources for Outreach, Learning, and Longevity Act of 2019”*
6 *or the “ENROLL Act of 2019”.*

7 **SEC. 2. PROVIDING FOR ADDITIONAL REQUIREMENTS WITH**
8 **RESPECT TO THE NAVIGATOR PROGRAM.**

9 *(a) IN GENERAL.—Section 1311(i) of the Patient Pro-*
10 *tection and Affordable Care Act (42 U.S.C. 18031(i)) is*
11 *amended—*

12 *(1) in paragraph (2), by adding at the end the*
13 *following new subparagraph:*

14 *“(C) SELECTION OF RECIPIENTS.—In the*
15 *case of an Exchange established and operated by*
16 *the Secretary within a State pursuant to section*
17 *1321(c), in awarding grants under paragraph*
18 *(1), the Exchange shall—*

19 *“(i) select entities to receive such*
20 *grants based on an entity’s demonstrated*
21 *capacity to carry out each of the duties*
22 *specified in paragraph (3);*

23 *“(ii) not take into account whether or*
24 *not the entity has demonstrated how the en-*
25 *tity will provide information to individuals*

1 relating to group health plans offered by a
2 group or association of employers described
3 in section 2510.3–5(b) of title 29, Code of
4 Federal Regulations (or any successor regu-
5 lation), or short-term limited duration in-
6 surance (as defined by the Secretary for
7 purposes of section 2791(b)(5) of the Public
8 Health Service Act); and

9 “(iii) ensure that, each year, the Ex-
10 change awards such a grant to—

11 “(I) at least one entity described
12 in this paragraph that is a community
13 and consumer-focused nonprofit group;
14 and

15 “(II) at least one entity described
16 in subparagraph (B), which may in-
17 clude another community and con-
18 sumer-focused nonprofit group in addi-
19 tion to any such group awarded a
20 grant pursuant to subclause (I).

21 In awarding such grants, an Exchange may
22 consider an entity’s record with respect to
23 waste, fraud, and abuse for purposes of
24 maintaining the integrity of such Ex-
25 change.”;

1 (2) *in paragraph (3)—*

2 (A) *in subparagraph (C), by inserting after*
3 *“qualified health plans” the following: “, State*
4 *medicaid plans under title XIX of the Social Se-*
5 *curity Act, and State children’s health insurance*
6 *programs under title XXI of such Act”;* and

7 (B) *by adding at the end the following flush*
8 *left sentence:*

9 *“The duties specified in the preceding sentence may*
10 *be carried out by such a navigator at any time dur-*
11 *ing a year.”;*

12 (3) *in paragraph (4)(A)—*

13 (A) *in the matter preceding clause (i), by*
14 *striking “not”;*

15 (B) *in clause (i)—*

16 (i) *by inserting “not” before “be”;* and

17 (ii) *by striking “; or” and inserting*
18 *“;”;*

19 (C) *in clause (ii)—*

20 (i) *by inserting “not” before “receive”;*

21 and

22 (ii) *by striking the period and insert-*
23 *ing “;”;* and

24 (D) *by adding at the end the following new*
25 *clause:*

1 “(iii) maintain physical presence in
2 the State of the Exchange so as to allow in-
3 person assistance to consumers.”; and

4 (4) in paragraph (6)—

5 (A) by striking “FUNDING.—Grants under”
6 and inserting “FUNDING.—

7 “(A) STATE EXCHANGES.—Grants under”;
8 and

9 (B) by adding at the end the following new
10 subparagraph:

11 “(B) FEDERAL EXCHANGES.—For purposes
12 of carrying out this subsection, with respect to
13 an Exchange established and operated by the
14 Secretary within a State pursuant to section
15 1321(c), the Secretary shall obligate
16 \$100,000,000 out of amounts collected through
17 the user fees on participating health insurance
18 issuers pursuant to section 156.50 of title 45,
19 Code of Federal Regulations (or any successor
20 regulations) for fiscal year 2020 and each subse-
21 quent fiscal year. Such amount for a fiscal year
22 shall remain available until expended.”.

23 (b) EFFECTIVE DATE.—The amendments made by sub-
24 section (a) shall apply with respect to plan years beginning
25 on or after January 1, 2020.

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