

116TH CONGRESS
1ST SESSION

S. 1378

To repeal the multi-State plan program.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2019

Mr. JOHNSON (for himself, Mr. BARRASSO, Mr. BRAUN, Mr. WICKER, Mr. LEE, Mr. ALEXANDER, Mr. ENZI, Mr. CRAMER, and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To repeal the multi-State plan program.

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 “Repeal Insurance
5 Plans of the Multi-State Program Act of 2019” or the
6 “RIP MSP Act”.

7 **SEC. 2. REPEAL OF MULTI-STATE PLAN PROGRAM.**

8 (a) DEFINITIONS.—In this section, the terms “multi-
9 State plan issuer” and “MSP issuer” mean a health insur-
10 ance issuer or group of health insurance issuers that has
11 a contract with the Office of Personnel Management to

1 offer multi-State plan options pursuant to section 1334
2 of the Patient Protection and Affordable Care Act (Public
3 Law 111–148).

4 (b) PROGRAM REPEAL.—Effective January 1, 2020,
5 section 1334 of the Patient Protection and Affordable
6 Care Act (Public Law 111–148) shall have no force or
7 effect.

8 (c) REQUIRED REPORTING.—Not later than 60 days
9 after the date of enactment of this Act, the Director of
10 the Office of Personnel Management shall provide the
11 Committee on Homeland Security and Governmental Af-
12 fairs of the Senate and the Committee on Oversight and
13 Reform of the House of Representatives a briefing con-
14 cerning the efforts of the Office of Personnel Management
15 (referred to in this section as “OPM”) to wind down the
16 multi-State program under section 1334 of the Patient
17 Protection and Affordable Care Act. Such briefing shall
18 contain such information as may be required, including
19 information regarding—

20 (1) the methods of communication OPM and an
21 MSP issuer will use to notify current enrollees that
22 the multi-State plan will not be offered during the
23 next open season, including a timeline of the planned
24 communications;

1 (2) a description of how the Director of OPM
2 will work with the Secretary of Health and Human
3 Services to ensure that no plans previously offered
4 pursuant to such section 1334 are offered on State
5 or Federal Exchanges; and

6 (3) a timeline detailing how OPM will close
7 down the information technology portal that MSP
8 issuers utilize.

9 (d) RESCISSION OF UNUSED FUNDS.—Of the
10 amounts made available to OPM for the purposes of staff-
11 ing and administering the program under section 1334 of
12 the Patient Protection and Affordable Care Act, the unob-
13 ligated balance is rescinded, effective January 1, 2020.

14 (e) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the Director of the Office of Personnel
17 Management should assign employees of the Office
18 whose duties on the date of enactment relate to car-
19 rying out section 1334 of the Patient Protection and
20 Affordable Care Act (Public Law 111–148) to duties
21 relating to processing appeals brought by individuals
22 or employers pursuant to such section 1334; and

- 1 (2) no additional amounts should be appro-
- 2 priated for salaries and expenses relating to proc-
- 3 essing such appeals.

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