

116TH CONGRESS  
1ST SESSION

# S. 964

To amend the Patient Protection and Affordable Care Act to improve cost-sharing subsidies.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1, 2019

Mrs. SHAHEEN (for herself, Ms. STABENOW, Mr. CASEY, Mr. REED, Mr. BLUMENTHAL, Ms. HASSAN, Ms. KLOBUCHAR, Mr. TESTER, Mr. KAINE, Mr. KING, Ms. HARRIS, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. HIRONO, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Patient Protection and Affordable Care Act  
to improve cost-sharing subsidies.

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 “Marketplace Certainty  
5 Act”.

6 **SEC. 2. ENHANCEMENTS FOR REDUCED COST-SHARING.**

7 (a) **MODIFICATION OF AMOUNT.**—

1           (1) IN GENERAL.—Section 1402(c)(2) of the  
2 Patient Protection and Affordable Care Act is  
3 amended to read as follows:

4           “(2) ADDITIONAL REDUCTION.—The Secretary  
5 shall establish procedures under which the issuer of  
6 a qualified health plan to which this section applies  
7 shall further reduce cost-sharing under the plan in  
8 a manner sufficient to—

9           “(A) in the case of an eligible insured  
10 whose household income is not less than 100  
11 percent but not more than 200 percent of the  
12 poverty line for a family of the size involved, in-  
13 crease the plan’s share of the total allowed  
14 costs of benefits provided under the plan to 95  
15 percent of such costs;

16           “(B) in the case of an eligible insured  
17 whose household income is more than 200 per-  
18 cent but not more than 300 percent of the pov-  
19 erty line for a family of the size involved, in-  
20 crease the plan’s share of the total allowed  
21 costs of benefits provided under the plan to 90  
22 percent of such costs; and

23           “(C) in the case of an eligible insured  
24 whose household income is more than 300 per-  
25 cent but not more than 400 percent of the pov-

1           erty line for a family of the size involved, in-  
2           crease the plan’s share of the total allowed  
3           costs of benefits provided under the plan to 85  
4           percent of such costs.”.

5           (2) CONFORMING AMENDMENT.—Clause (i) of  
6           section 1402(c)(1)(B) of such Act is amended to  
7           read as follows:

8                   “(i) IN GENERAL.—The Secretary  
9                   shall ensure the reduction under this para-  
10                  graph shall not result in an increase in the  
11                  plan’s share of the total allowed costs of  
12                  benefits provided under the plan above—

13                           “(I) 95 percent in the case of an  
14                           eligible insured described in para-  
15                           graph (2)(A);

16                           “(II) 90 percent in the case of an  
17                           eligible insured described in para-  
18                           graph (2)(B); and

19                           “(III) 85 percent in the case of  
20                           an eligible insured described in para-  
21                           graph (2)(C).”.

22           (3) EFFECTIVE DATE.—The amendments made  
23           by this subsection shall apply to plan years begin-  
24           ning after December 31, 2019.

1           (b) FUNDING.—Section 1402 of the Patient Protec-  
2 tion and Affordable Care Act is amended by adding at  
3 the end the following new subsection:

4           “(g) FUNDING.—Out of any funds in the Treasury  
5 not otherwise appropriated, there are appropriated to the  
6 Secretary such sums as may be necessary for payments  
7 under this section.”.

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