

108TH CONGRESS  
1ST SESSION

# H. R. 1749

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2003

Mr. McINNIS (for himself, Mr. STRICKLAND, Mrs. JO ANN DAVIS of Virginia, Mr. STUPAK, Mr. McCOTTER, Mr. SHIMKUS, Mr. BURGESS, Mr. GREEN of Wisconsin, Mr. ROGERS of Michigan, Mr. BARTLETT of Maryland, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, Mr. SENSENBRENNER, Mr. RYAN of Ohio, Mr. HINCHEY, Mr. PETRI, Mr. GORDON, Mr. CALVERT, Mr. COSTELLO, Mr. KIND, Mr. KIRK, Mr. WALSH, Mr. FRANK of Massachusetts, Mr. PALLONE, Mr. RYAN of Wisconsin, Mr. HOLDEN, Mrs. MUSGRAVE, Mr. KLINE, Mr. RENZI, Mr. KENNEDY of Minnesota, Mr. GRAVES, Ms. CARSON of Indiana, Mrs. BONO, Mr. PLATTS, Mr. JOHNSON of Illinois, Mr. KILDEE, Mr. BOSWELL, Mr. DAVIS of Illinois, Mr. LIPINSKI, Mr. SANDERS, Mr. CAMP, Ms. BALDWIN, Mr. ABERCROMBIE, Mr. WELLER, Mrs. CAPITO, Mr. McDERMOTT, Mr. LATHAM, Mr. RUSH, Mr. FORD, Mr. BEAUPREZ, and Mrs. JONES of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Health Care Parity  
3 for Legal Transportation and Recreational Activities Act”.

4 **SEC. 2. COVERAGE AMENDMENTS.**

5 (a) ERISA.—Section 702(a)(2)(B) of the Employee  
6 Retirement Income Security Act of 1974 (29 U.S.C.  
7 1182(a)(2)(B)) is amended by inserting before the period  
8 the following: “, except that a plan or issuer may not deny  
9 benefits otherwise provided for the treatment of an injury  
10 solely because such injury resulted from participation of  
11 the participant or beneficiary in an activity such as  
12 motocycling, snowmobiling, all-terrain vehicle riding,  
13 horseback riding, skiing or other similar legal activity”.

14 (b) PHSA.—Section 2702(a)(2)(B) of the Public  
15 Health Service Act (42 U.S.C. 300gg–1(a)(2)(B)) is  
16 amended by inserting before the period the following:  
17 “, except that a plan or issuer may not deny benefits oth-  
18 erwise provided for the treatment of an injury solely be-  
19 cause such injury resulted from participation of the en-  
20 rollee in an activity such as motocycling, snowmobiling,  
21 all-terrain vehicle riding, horseback riding, skiing or other  
22 similar legal activity”.

23 (c) INTERNAL REVENUE CODE.—Section  
24 9802(a)(2)(B) of the Internal Revenue Code of 1986 is  
25 amended by inserting before the period the following:  
26 “, except that a plan or issuer may not deny benefits oth-

1 erwise provided for the treatment of an injury solely be-  
2 cause such injury resulted from participation of the en-  
3 rollee in an activity such as motorcycling, snowmobiling,  
4 all-terrain vehicle riding, horseback riding, skiing or other  
5 similar legal activity”.

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