111TH CONGRESS
2D SESSION

H. R. 5664

To amend title I of the Patient Protection and Affordable Care Act to permit certain individuals losing their COBRA continuation coverage to have access to the high-risk health insurance pool program established under such title.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2010

Mr. ELLSWORTH (for himself and Mr. DOYLE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend title I of the Patient Protection and Affordable Care Act to permit certain individuals losing their COBRA continuation coverage to have access to the high-risk health insurance pool program established under such title.

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 "High-Risk Pool Fair-

5   ness Act".

1 **SEC. 2. EXPANDING ACCESS TO HIGH-RISK HEALTH INSUR-**

2   **ANCE POOL PROGRAM TO CERTAIN INDIVID-**

3   **UALS LOSING THEIR COBRA CONTINUATION**

4   **COVERAGE.**

5   Section 1101(d)(2) of the Patient Protection and Af-

6 fordable Care Act (Public Law 111–148) is amended—

7   (1) by striking "(2) has" and inserting "(2)(A)

8   has";

9   (2) by striking at the end of subparagraph (A),

10   as designated by paragraph (1) of this section,

11   "and" and inserting "or"; and

12   (3) by adding at the end the following new sub-

13   paragraphs:

14   "(B) is a qualified beneficiary for purposes of

15   COBRA continuation coverage (as defined in sub-

16   paragraph (B) of section 3001(a)(10)(B) of division

17   B of the American Recovery and Reinvestment Act

18   of 2009 (Public Law 111–5)) who has elected such

19   coverage and with respect to whom the date of the

20   expiration of the maximum period of such coverage

21   required under the applicable COBRA continuation

22   coverage provision (as defined in subparagraph (C)

23   of such section)—

24   "(i) occurred during the 6-month period

25   prior to the date on which such individual is ap-

1   plying for coverage through the high risk pool;

2   or

3   "(ii) will occur during the 30-day period

4   following the date described in clause (i); and".

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