

# Union Calendar No. 28

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1549

[Report No. 113-45]

To amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with preexisting conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2013

Mr. PITTS (for himself, Mr. BURGESS, and Mrs. WAGNER) introduced the following bill; which was referred to the Committee on Energy and Commerce

APRIL 19, 2013

Additional sponsors: Mr. HARPER, Mr. MCKINLEY, Mrs. BLACKBURN, Mr. LANCE, Mr. WHITFIELD, Mrs. ELLMERS, Mr. WALDEN, Mr. CASSIDY, Mr. JOHNSON of Ohio, Mr. LONG, Mr. TERRY, Mr. HALL, Mr. LATTA, and Mr. SESSIONS

APRIL 19, 2013

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 *italic*]

# **A BILL**

To amend Public Law 111–148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with preexisting conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such 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 “Helping Sick Ameri-  
5 cans Now Act”.

6 **SEC. 2. PRIORITIZING FUNDING FOR SICK AMERICANS.**

7 Section 4002(e) of Public Law 111–148 (42 U.S.C.  
8 ~~300u–11(e)~~) is amended by adding at the end the fol-  
9 lowing: “Notwithstanding any other provision of this sec-  
10 tion, the Secretary shall transfer amounts that are in the  
11 Fund that are attributable to fiscal year 2013 that are  
12 not otherwise obligated as of the date of the enactment  
13 of this sentence and funds that would otherwise be made  
14 available to the Fund for fiscal year 2014, fiscal year  
15 2015, and fiscal year 2016 to the account within the De-  
16 partment of Health and Human Services that provides for  
17 funding to carry out the temporary high risk health insur-  
18 ance pool program under section 1101 and such funds  
19 shall become available for obligation under such section  
20 on such date of enactment and remain so available  
21 through December 31, 2013.”.

22 **SEC. 3. IMMEDIATE ACCESS TO HEALTH CARE FOR SICK**  
23 **AMERICANS.**

24 (a) **IN GENERAL.**—Section 1101(d) of Public Law  
25 111–148 (42 U.S.C. 18001(d)) is amended—

1           (1) in paragraph (1), by adding at the end  
2           “and”;  
3           (2) by striking paragraph (2); and  
4           (3) by redesignating paragraph (3) as para-  
5           graph (2).

6           (b) **EFFECTIVE DATE.**—The amendments made by  
7 subsection (a) shall apply with respect to individuals ap-  
8 plying for coverage through the high risk insurance pool  
9 program on or after the date of the enactment of this Act.

10 **SECTION 1. SHORT TITLE.**

11           *This Act may be cited as the “Helping Sick Americans*  
12 *Now Act”.*

13 **SEC. 2. PRIORITIZING FUNDING FOR SICK AMERICANS.**

14           *Section 4002(c) of Public Law 111–148 (42 U.S.C.*  
15 *300u–11(c)) is amended by adding at the end the following:*  
16 *“Notwithstanding any other provision of this section, the*  
17 *Secretary shall transfer amounts that are in the Fund that*  
18 *are attributable to fiscal year 2013 that are not otherwise*  
19 *obligated as of the date of the enactment of this sentence*  
20 *and funds that would otherwise be made available to the*  
21 *Fund for fiscal year 2014, fiscal year 2015, and fiscal year*  
22 *2016 to the account within the Department of Health and*  
23 *Human Services that provides for funding to carry out the*  
24 *temporary high risk health insurance pool program under*  
25 *section 1101 and such funds shall become available for obli-*

1 gation under such section on such date of enactment and  
2 remain so available through December 31, 2013.”.

3 **SEC. 3. IMMEDIATE ACCESS TO HEALTH CARE FOR SICK**  
4 **AMERICANS.**

5 (a) *IN GENERAL.*—Section 1101(d) of Public Law  
6 111–148 (42 U.S.C. 18001(d)) is amended—

7 (1) in paragraph (1), by adding at the end  
8 “and”;

9 (2) by striking paragraph (2); and

10 (3) by redesignating paragraph (3) as para-  
11 graph (2).

12 (b) *EFFECTIVE DATE.*—The amendments made by sub-  
13 section (a) shall apply with respect to individuals applying  
14 for coverage through the high risk insurance pool program  
15 on or after the date of the enactment of this Act.

16 **SEC. 4. ENSURING AN ORDERLY REOPENING OF THE PRO-**  
17 **GRAM FOR SICK AMERICANS.**

18 Section 1101(b) of Public Law 111–148 (42 U.S.C.  
19 18001(b)) is amended by adding at the end the following  
20 new paragraph:

21 “(4) *ORDERLY REOPENING OF PROGRAM.*—The  
22 Secretary shall administer this section in accordance  
23 with the regulations under part 152 of title 45, Code  
24 of Federal Regulations, as in effect as of April 16,

- 1 *2013, except as is necessary to reflect the amendments*
- 2 *made by the Helping Sick Americans Now Act.”.*



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1<sup>ST</sup> Session

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**A BILL**

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