

115TH CONGRESS
1ST SESSION

H. R. 633

To authorize health insurance issuers to continue to offer for sale health insurance coverage offered in the individual market before the enactment of the Patient Protection and Affordable Care Act in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. HARPER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on 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

A BILL

To authorize health insurance issuers to continue to offer for sale health insurance coverage offered in the individual market before the enactment of the Patient Protection and Affordable Care Act in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes.

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 “Patient Fairness and
3 Relief Act of 2017”.

4 **SEC. 2. EXTENDING OPTION TO CONTINUE PRE-ACA COV-**
5 **ERAGE.**

6 (a) IN GENERAL.—Notwithstanding any provision of
7 the Patient Protection and Affordable Care Act (including
8 any amendment made by such Act or by the Health Care
9 and Education Reconciliation Act of 2010), a health insur-
10 ance issuer that had in effect health insurance coverage
11 in the individual market as of January 1, 2013, and has
12 continued such coverage through January 1, 2017, under
13 CCIIO guidance (as defined in subsection (c)) may renew
14 and continue to offer such coverage for sale on and after
15 the date of the enactment of this Act in the individual
16 market outside of an Exchange established under section
17 1311 or 1321 of such Act (42 U.S.C. 18031, 18041).

18 (b) TREATMENT AS GRANDFATHERED HEALTH
19 PLAN IN SATISFACTION OF MINIMUM ESSENTIAL COV-
20 ERAGE.—Health insurance coverage described in sub-
21 section (a) shall be treated as a grandfathered health plan
22 for purposes of the amendment made by section 1501(b)
23 of the Patient Protection and Affordable Care Act.

24 (c) CCIIO GUIDANCE DEFINED.—In this section, the
25 term “CCIIO guidance” means the letter issued by the
26 Centers for Medicare & Medicaid Services on November

1 14, 2013, to the State Insurance Commissioners outlining
2 a transitional policy for non-grandfathered coverage in the
3 small group and individual health insurance markets, as
4 subsequently extended and modified (including by a com-
5 munication entitled “Insurance Standards Bulletin Se-
6 ries—INFORMATION—Extension of Transitional Policy
7 through Calendar Year 2017” issued on February 29,
8 2016, by the Director of the Center for Consumer Infor-
9 mation & Insurance Oversight of such Centers).

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