

116TH CONGRESS
2D SESSION

H. R. 5809

To amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to require group health plans and health insurance issuers to include certain information on any health insurance membership card issued by such plan or issuer.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2020

Mr. BEYER (for himself and Mr. KELLY of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, 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 amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to require group health plans and health insurance issuers to include certain information on any health insurance membership card issued by such plan or issuer.

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 “Better Information Act
3 of 2020”.

4 **SEC. 2. INFORMATION REQUIRED TO BE INCLUDED ON**
5 **HEALTH INSURANCE MEMBERSHIP CARDS.**

6 (a) PUBLIC HEALTH SERVICE ACT.—Subpart II of
7 part A of title XXVII of the Public Health Service Act
8 (42 U.S.C. 300gg–11 et seq.) is amended by adding at
9 the end the following new section:

10 **“SEC. 2730. INFORMATION REQUIRED TO BE INCLUDED ON**
11 **HEALTH INSURANCE MEMBERSHIP CARDS.**

12 “In the case of a group health plan or health insur-
13 ance issuer offering group or individual health insurance
14 coverage that provides a physical or electronic card indi-
15 cating membership in such plan or coverage to an indi-
16 vidual enrolled under such plan or coverage, such group
17 health plan or issuer shall include on such card each of
18 the following:

19 “(1) The nearest hospital to the primary resi-
20 dence of such individual that has in effect a contrac-
21 tual relationship with such plan or coverage for fur-
22 nishing items and services under such plan or cov-
23 erage.

24 “(2) A telephone number or Internet website
25 address through which such individual may seek con-
26 sumer assistance information, such as information

1 related to hospitals and urgent care facilities that
2 have in effect a contractual relationship with such
3 plan or coverage for furnishing items and services
4 under such plan or coverage.

5 “(3) Any deductible applicable to such indi-
6 vidual.

7 “(4) Any out-of-pocket maximum applicable to
8 such individual.

9 “(5) Any cost-sharing obligation applicable to
10 such individual for a visit at an emergency depart-
11 ment, or urgent care facility, that has in effect a
12 contractual relationship with such plan or coverage
13 for furnishing items and services under such plan or
14 coverage.”.

15 (b) INTERNAL REVENUE CODE.—

16 (1) IN GENERAL.—Subchapter B of chapter
17 100 of the Internal Revenue Code of 1986 is amend-
18 ed by adding at the end the following new section:

19 **“SEC. 9816. INFORMATION REQUIRED TO BE INCLUDED ON**
20 **HEALTH INSURANCE MEMBERSHIP CARDS.**

21 “In the case of a group health plan that provides a
22 physical or electronic card indicating membership in such
23 plan to an individual enrolled under such plan, such group
24 health plan shall include on such card each of the fol-
25 lowing:

1 “(1) The nearest hospital to the primary resi-
2 dence of such individual that has in effect a contrac-
3 tual relationship with such plan for furnishing items
4 and services under such plan.

5 “(2) A telephone number or Internet website
6 address through which such individual may seek con-
7 sumer assistance information, such as information
8 related to hospitals and urgent care facilities that
9 have in effect a contractual relationship with such
10 plan for furnishing items and services under such
11 plan.

12 “(3) Any deductible applicable to such indi-
13 vidual.

14 “(4) Any out-of-pocket maximum applicable to
15 such individual.

16 “(5) Any cost-sharing obligation applicable to
17 such individual for a visit at an emergency depart-
18 ment, or urgent care facility, that has in effect a
19 contractual relationship with such plan for fur-
20 nishing items and services under such plan.”.

21 (2) NONAPPLICATION OF INCORPORATION PRO-
22 VISIONS.—Section 9815(a) of the Internal Revenue
23 Code of 1986 is amended—

24 (A) in paragraph (1), by striking “(as
25 amended by the Patient Protection and Afford-

1 under such plan or coverage, such group health plan or
2 issuer shall include on such card each of the following:

3 “(1) The nearest hospital to the primary resi-
4 dence of such individual that has in effect a contrac-
5 tual relationship with such plan or coverage for fur-
6 nishing items and services under such plan or cov-
7 erage.

8 “(2) A telephone number or Internet website
9 address through which such individual may seek con-
10 sumer assistance information, such as information
11 related to hospitals and urgent care facilities that
12 have in effect a contractual relationship with such
13 plan or coverage for furnishing items and services
14 under such plan or coverage.

15 “(3) Any deductible applicable to such indi-
16 vidual.

17 “(4) Any out-of-pocket maximum applicable to
18 such individual.

19 “(5) Any cost-sharing obligation applicable to
20 such individual for a visit at an emergency depart-
21 ment, or urgent care facility, that has in effect a
22 contractual relationship with such plan or coverage
23 for furnishing items and services under such plan or
24 coverage.”.

1 (2) NONAPPLICATION OF INCORPORATION PRO-
2 VISIONS.—Section 715(a) of the Employee Retirement
3 Income Security Act of 1974 (29 U.S.C.
4 1185d(a)) is amended—

5 (A) in paragraph (1), by striking “(as
6 amended by the Patient Protection and Afford-
7 able Care Act)” and inserting “(other than the
8 provisions of section 2730 of the Public Health
9 Service Act)”; and

10 (B) in paragraph (2), by inserting “(other
11 than the provisions of section 2730 of the Pub-
12 lic Health Service Act)” after “a provision of
13 such part A”.

14 (3) CLERICAL AMENDMENT.—The table of con-
15 tents in section 1 of the Employee Retirement In-
16 come Security Act of 1974 is amended by inserting
17 after the item relating to section 714 the following
18 new items:

“Sec. 715. Additional market reforms.

“Sec. 716. Information required to be included on health insurance membership
cards.”.

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