

116TH CONGRESS
2D SESSION

S. 4557

To support efforts to provide intensive, individualized assistance for enrolling in health care coverage.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2020

Ms. BALDWIN (for herself, Mr. BOOKER, Ms. SMITH, Ms. CORTEZ MASTO, Ms. HIRONO, Mr. MERKLEY, Mr. BLUMENTHAL, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To support efforts to provide intensive, individualized assistance for enrolling in health care coverage.

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 “COVid Enrollment Re-
5 sponse Act” or the “COVER Act”.

6 **SEC. 2. INTENSIVE, INDIVIDUALIZED ASSISTANCE FOR EN-** 7 **ROLLING IN HEALTH CARE.**

8 Section 1311(i)(6) of the Patient Protection and Af-
9 fordable Care Act (42 U.S.C. 18031(i)(6)) is amended—

1 (1) by striking “Grants under this subsection
2 shall be made from” and inserting the following:

3 “(A) IN GENERAL.—Grants under this
4 subsection shall be made from funds appro-
5 priated under subparagraph (B) and”; and

6 (2) by adding at the end thereof the following:

7 “(B) APPROPRIATION.—

8 “(i) AMOUNT.—Out of any funds in
9 the Treasury not otherwise appropriated,
10 there are hereby appropriated, to carry out
11 this subsection, \$150,000,000 for fiscal
12 year 2020, and \$600,000,000 for fiscal
13 year 2021.

14 “(ii) ALLOTMENTS.—

15 “(I) IN GENERAL.—Payments of
16 allotments under this subparagraph
17 shall be made as soon as possible and
18 remain available until expended.

19 “(II) NUMBER OF UNINSURED.—

20 Fifty percent of the funds appro-
21 priated under this subparagraph for a
22 fiscal year shall be expended in annual
23 allotments for a State and the District
24 of Columbia in proportion to the num-
25 ber of uninsured individuals in such

1 State or District during calendar year
2 2018, as demonstrated by American
3 Community Survey State-level data.

4 “(III) RECIPIENTS OF UNEM-
5 PLOYMENT INSURANCE.—Fifty per-
6 cent of the funds appropriated under
7 this subparagraph for a fiscal year
8 shall be expended in quarterly allot-
9 ments for a State and the District of
10 Columbia in proportion to the average
11 number of recipients of unemployment
12 insurance in the State or Districts, in-
13 cluding all categories of assistance,
14 during the most recent calendar quar-
15 ter for which data are available from
16 the Department of Labor.

17 “(iii) USE.—Notwithstanding any
18 other provision of this subsection, funds
19 described in this subparagraph shall be—

20 “(I) used at any point during the
21 calendar year to facilitate enrolling in-
22 dividuals into and maintaining indi-
23 viduals’ coverage in State Medicaid
24 plans under title XIX of the Social
25 Security Act, State Children’s Health

1 Insurance Programs under title XXI
2 of such Act, qualified health plans,
3 COBRA continuation coverage, group
4 health plans offered to furloughed em-
5 ployees on the same terms they are of-
6 fered to other employees, and other
7 health coverage programs sponsored
8 by States and localities, with coun-
9 seling and assistance provided by enti-
10 ties that assume a fiduciary duty to
11 act in such individuals' best interests;

12 “(II) used to develop relation-
13 ships with State workforce agencies
14 (and, at the entity's option, employ-
15 ers) through which an entity funded
16 through this subparagraph reaches
17 out to individuals losing employment
18 and helps them enroll into minimum
19 essential coverage;

20 “(III) awarded to organizations
21 (which may include agencies of States
22 or political subdivision using hired or
23 rehired employees) with a dem-
24 onstrated capacity to perform the du-
25 ties specified in paragraph (3) (ex-

1 tended, for purposes of this subpara-
2 graph, to include all programs de-
3 scribed in subclause (I)) and this sub-
4 paragraph, including relationships
5 with and experience in successfully
6 serving laid-off and furloughed work-
7 ers, residents of rural areas and com-
8 munities of color, low-income individ-
9 uals, members of immigrant families,
10 and other historically underserved
11 populations;

12 “(IV) awarded to organizations,
13 within each State, that include at
14 least two organizations located in the
15 State serviced by such organizations,
16 at least one of which is a community-
17 based and consumer-oriented non-
18 profit group; and

19 “(V) used to supplement rather
20 than supplant other funding, staffing,
21 and programming provided under this
22 subsection.

23 “(iv) DEFINITION.—For purposes of
24 this subparagraph, the term ‘COBRA con-
25 tinuation coverage’ means continuation

1 coverage provided pursuant to part 6 of
2 subtitle B of title I of the Employee Re-
3 tirement Income Security Act of 1974
4 (other than under section 609), title XXII
5 of the Public Health Service Act, section
6 4980B of the Internal Revenue Code of
7 1986 (other than subsection (f)(1) of such
8 section insofar as it relates to pediatric
9 vaccines), or section 8905a of title 5,
10 United States Code, or under a State pro-
11 gram that provides comparable continu-
12 ation coverage. Such term does not include
13 coverage under a health flexible spending
14 arrangement under a cafeteria plan within
15 the meaning of section 125 of the Internal
16 Revenue Code of 1986.”.

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