

105TH CONGRESS
2^D SESSION

H. R. 4008

To amend title XXVII of the Public Health Service Act to permit the exception from the guaranteed issue requirement for coverage offered only through associations to be applied separately to parts of the small group market based upon size of employers.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 1998

Mr. BARCIA introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend title XXVII of the Public Health Service Act to permit the exception from the guaranteed issue requirement for coverage offered only through associations to be applied separately to parts of the small group market based upon size of employers.

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. PERMITTING APPLICATION OF THE BONA FIDE**
2 **ASSOCIATION EXCEPTION TO THE GUARAN-**
3 **TEED ISSUE REQUIREMENT FOR DIFFERENT**
4 **EMPLOYERS BASED UPON THE SIZE OF EM-**
5 **PLOYERS.**

6 (a) **IN GENERAL.**—Section 2711(f) of the Public
7 Health Service Act (42 U.S.C. 300gg–11(f)) is amended
8 by adding at the end the following: “A health insurance
9 issuer may elect to apply the previous sentence separately
10 for different groups of employers within the small group
11 market for programs in existence prior to June 30, 1997,
12 if such programs are based upon the number of employees
13 employed by such employers.”.

14 (b) **EFFECTIVE DATE.**—The amendment made by
15 subsection (a) shall be effective as if included in the enact-
16 ment of the Health Insurance Portability and Accountabil-
17 ity Act of 1996.

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