## H. R. 2851

To amend title XXVII of the Public Health Service Act to improve the affordability of health insurance coverage for small employers.

## IN THE HOUSE OF REPRESENTATIVES

July 24, 2003

Mr. Pence (for himself, Mr. Sessions, Mrs. Musgrave, Mr. Paul, Mr. Ryun of Kansas, Mr. Terry, Mr. Doolittle, Mrs. Northup, Mr. Flake, Mr. Crane, Mr. Garrett of New Jersey, Mr. Jones of North Carolina, Mr. Otter, Mr. Burton of Indiana, and Mr. Sensenbrenner) introduced the following bill; which was referred to the Committee on Energy and Commerce

## A BILL

To amend title XXVII of the Public Health Service Act to improve the affordability of health insurance coverage for small employers.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SEC. 1. REPEAL OF GUARANTEED ISSUE IN SMALL GROUP
- 4 MARKET.
- 5 (a) In General.—Subsection (a) of section 2711 of
- 6 the Public Health Service Act (42 U.S.C. 300gg-11) is
- 7 amended by striking "in a State\_\_" and all that follows

1 through "must accept for enrollment" and inserting "in2 a State must accept for enrollment".

## (b) Effective Dates.—

- (1) In General.—Subject to paragraph (2), the amendments made by subsection (a) shall apply with respect to group health plans, and health insurance coverage offered in connection with group health plans, for plan years beginning on or after January 1, 2004 (in this subsection referred to as the "general effective date") and also shall apply to portions of plan years occurring on and after such date.
  - (2) Treatment of collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this Act shall not apply to plan years beginning before the later of—
    - (A) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act); or

- 1 (B) the general effective date.
- 2 For purposes of subparagraph (A), any plan amendment
- 3 made pursuant to a collective bargaining agreement relat-
- 4 ing to the plan which amends the plan solely to conform
- 5 to any requirement added by this section shall not be
- 6 treated as a termination of such collective bargaining

7 agreement.

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