

111TH CONGRESS
1ST SESSION

H. R. 3821

To prevent States from limiting employers from using auto-enrollment for employee health insurance coverage.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2009

Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, and Mr. BUYER) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To prevent States from limiting employers from using auto-enrollment for employee health insurance 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 “Improved Employee
5 Access to Health Insurance Act of 2009”.

6 **SEC. 2. LIMITATIONS ON STATE RESTRICTIONS ON EM-**
7 **PLOYER AUTO-ENROLLMENT.**

8 (a) IN GENERAL.—No State shall establish a law
9 that prevents an employer from instituting an auto-enroll-
10 ment process for coverage of a participant or beneficiary

1 under a group health plan, or health insurance coverage
2 offered in connection with such a plan, so long as the par-
3 ticipant or beneficiary has the option of declining such
4 coverage.

5 (b) CONSTRUCTION.—Nothing in this section shall be
6 construed to supersede State law which establishes, imple-
7 ments, or continues in effect any standard or requirement
8 relating to employers in connection—

9 (1) with payroll; or—

10 (2) the sponsoring of employer sponsored health
11 insurance coverage,

12 except to the extent that such standard or requirement
13 prevents an employer from instituting the auto-enrollment
14 process described in subsection (a).

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