

111TH CONGRESS  
1ST SESSION

# H. R. 4019

To amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2009

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

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## A BILL

To amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market.

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. LIMITING PREEXISTING CONDITION EXCLU-**  
4 **SIONS IN THE INDIVIDUAL HEALTH INSUR-**  
5 **ANCE MARKET TO THOSE PERMITTED IN THE**  
6 **GROUP HEALTH INSURANCE MARKET.**

7 (a) IN GENERAL.—Section 2741 of the Public Health  
8 Service Act (42 U.S.C. 300gg–41) is amended—

1           (1) by redesignating the second subsection (e)  
2           (relating to market requirements) and subsection (f)  
3           as subsections (f) and (g), respectively; and

4           (2) by adding at the end the following new sub-  
5           section:

6           “(h) APPLICATION OF GROUP HEALTH INSURANCE  
7           LIMITATIONS ON IMPOSITION OF PREEXISTING CONDI-  
8           TION EXCLUSIONS.—A health insurance issuer that pro-  
9           vides individual health insurance coverage may impose a  
10          preexisting condition exclusion (as defined in subsection  
11          (b)(1)(A) of section 2701) with respect to such coverage  
12          only to the extent the issuer may impose such a condition  
13          if such coverage were group health insurance coverage  
14          under such section.”.

15          (b) CONFORMING AMENDMENT.—Section 2744(a)(1)  
16          of such Act (42 U.S.C. 300gg-44(a)(1)) is amended by  
17          inserting “(other than subsection (h))” after “section  
18          2741”.

19          (c) EFFECTIVE DATE.—The amendments made by  
20          this section shall apply with respect to health insurance  
21          coverage offered, sold, issued, renewed, in effect, or oper-  
22          ated in the individual market beginning after the end of  
23          the 6th calendar month beginning after the date of the  
24          enactment of this Act.

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