

111TH CONGRESS
2^D SESSION

H. R. 5761

To amend the Patient Protection and Affordable Care Act to expedite the application of the provision prohibiting rescissions of health insurance coverage.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2010

Mr. MELANCON introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Patient Protection and Affordable Care Act to expedite the application of the provision prohibiting rescissions of 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. EXPEDITING APPLICATION OF THE PROHIBI-**
4 **TION ON RESCISSIONS OF HEALTH INSUR-**
5 **ANCE COVERAGE UNDER PPACA.**

6 Section 1004(b) of the Patient Protection and Af-
7 fordable Care Act (Public Law 111–148) is amended—

8 (1) by striking “RULE.—The amendments” and
9 inserting “RULE.

1 “(1) IN GENERAL.—The amendments”; and

2 (2) by adding at the end the following new
3 paragraph:

4 “(2) RULE FOR RESCISSIONS.—

5 “(A) IN GENERAL.—Section 2712 of the
6 Public Health Service Act, as inserted by sec-
7 tion 1001(5), shall take effect on the date of
8 enactment of this Act.

9 “(B) APPLICATION DURING INTERIM PE-
10 RIOD.—In the case a group health plan or
11 health insurance issuer offering group or indi-
12 vidual health insurance coverage rescinds such
13 plan or coverage with respect to an enrollee, in
14 violation of such section 2712 of the Public
15 Health Service Act, during the period beginning
16 on March 23, 2010, and ending on the date of
17 the enactment of this paragraph—

18 “(i) the plan or issuer shall reinstate
19 such enrollee in the plan or coverage and
20 claims for services furnished to such en-
21 rollee during such period may be submitted
22 to the plan or issuer for reimbursement
23 and treated as if such rescission had not
24 occurred; and

1 “(ii) the plan or issuer shall not be
2 subject to any penalty for any such viola-
3 tion occurring during such period.”.

○