

112TH CONGRESS  
2D SESSION

# H. R. 6162

To amend the Internal Revenue Code of 1986 to permit health plans without a deductible for prenatal, labor and delivery, and postpartum care to be treated as high deductible plans with respect to health savings accounts.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2012

Mr. CASSIDY (for himself, Mr. BURGESS, Mr. PAUL, Mr. WESTMORELAND, Mr. HECK, Mrs. ELLMERS, Mrs. BONO MACK, Mr. DESJARLAIS, Mr. HARRIS, Mrs. BLACK, Mr. LANCE, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. FORTENBERRY, and Mr. TERRY) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to permit health plans without a deductible for prenatal, labor and delivery, and postpartum care to be treated as high deductible plans with respect to health savings accounts.

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 “Ensuring Women’s Ac-  
5 cess to Free-Market Healthcare Act of 2012”.

1 **SEC. 2. HSA HIGH DEDUCTIBLE PLAN SAFE HARBOR FOR**  
2 **ABSENCE OF PRENATAL, LABOR AND DELIV-**  
3 **ERY, AND POSTPARTUM CARE DEDUCTIBLE.**

4 (a) IN GENERAL.—Paragraph (2) of section 223(c)  
5 of the Internal Revenue Code of 1986 is amended by re-  
6 designating subparagraph (D) as subparagraph (E) and  
7 by inserting after subparagraph (C) the following new sub-  
8 paragraph:

9 “(D) SAFE HARBOR FOR ABSENCE OF PRE-  
10 NATAL, LABOR AND DELIVERY, AND  
11 POSTPARTUM CARE DEDUCTIBLE.—

12 “(i) IN GENERAL.—A plan shall not  
13 fail to be treated as a high deductible  
14 health plan by reason of failing to have a  
15 deductible for prenatal, labor and delivery,  
16 and postpartum care.

17 “(ii) PRENATAL, LABOR AND DELIV-  
18 ERY, AND POSTPARTUM.—The Secretary,  
19 in consultation with the American Acad-  
20 emy of Pediatrics and American College of  
21 Obstetricians and Gynecologists, shall by  
22 regulation define prenatal, labor and deliv-  
23 ery, and postpartum care for purposes of  
24 this subparagraph.”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) shall apply to taxable years beginning after  
3 December 31, 2012.

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