H. R. 5177

To amend the Patient Protection and Affordable Care Act to eliminate benefits under the Federal Employees Health Benefits Program for Members of Congress so they are treated the same way as other taxpayers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2014

Mr. Maffei (for himself, Mr. Barber, and Mr. Barrow of Georgia) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To amend the Patient Protection and Affordable Care Act to eliminate benefits under the Federal Employees Health Benefits Program for Members of Congress so they are treated the same way as other taxpayers, and for other purposes.

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; FINDINGS.

4 (a) Short Title.—This Act may be cited as the
5 “Members Play By the Same Rules Act of 2014”.
(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that Members of Congress are subject to the mandatory coverage requirements of Affordable Care Act under section 5000A of the Internal Revenue Code of 1986 in the same manner as other taxpayers, but are now permitted to meet such requirements through participation and benefits under the Federal Employees Health Benefits Program (FEHBP).

(2) PURPOSE.—The purpose of this Act is to eliminate coverage of Members of Congress under FEHBP so they are treated in the same manner as other taxpayers.

SEC. 2. ELIMINATING FEHBP BENEFITS FOR MEMBERS OF CONGRESS.

Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is amended by adding at the end the following new clause:

“(iii) Elimination of FEHBP benefits with respect to Members serving on or after March 23, 2010; individual coverage through an exchange.—Notwithstanding any other provision of law, effective as of January 1, 2015, the following rules apply in carrying
out this subparagraph, chapter 89 of title 5, United States Code, and section 5000A of the Internal Revenue Code of 1986:

“(I) Elimination of FEHBP benefits.—In the case of an individual who serves as a Member of Congress on or after March 23, 2010, such an individual in the status as such a Member (including as a former Member or as a member of a family, former spouse, or survivor of such a Member or former Member) is not eligible to obtain coverage under, or any Government contribution towards the premium for, a health benefits plan under chapter 89 of title 5, United States Code.

“(II) Individual coverage through an exchange plan.—A Member of Congress representing a Congressional district in a State or, in the case of a Senator, representing a State may satisfy the minimum essential coverage requirement of section 5000A of the Internal Revenue Code
of 1986 through coverage described in subsection (f)(1)(C) of such Code (relating to coverage in the individual market) only through enrollment in a health plan offered through the Federal or State Exchange for residents of such district or such State, respectively.”.