

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5384

To amend the Public Health Service Act to extend health plan coverage to dependent children in the individual and group market, contingent on the enactment of legislation repealing the Patient Protection and Affordable Care Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2014

Mr. VALADAO (for himself, Mr. FITZPATRICK, Mr. PEARCE, and Mr. COFFMAN) 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 extend health plan coverage to dependent children in the individual and group market, contingent on the enactment of legislation repealing the Patient Protection and Affordable Care Act, 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.**

4 This Act may be cited as the “Securing Health Care  
5 for Young Americans Act of 2014”.

6 **SEC. 2. EXTENSION OF DEPENDENT COVERAGE.**

7 (a) GROUP MARKET.—

1           (1) IN GENERAL.—Subpart 1 of part A of title  
2           XXVII of the Public Health Service Act (42 U.S.C.  
3           300gg et seq.) is amended by adding at the end:

4           **“SEC. 2703A. EXTENSION OF DEPENDENT COVERAGE.**

5           “(a) IN GENERAL.—A group health plan and a health  
6           insurance issuer offering group health insurance coverage  
7           that provides dependent coverage of children shall con-  
8           tinue to make such coverage available for such a depend-  
9           ent after such dependent turns 18 years of age until the  
10          first of the following events occurs:

11                  “(1) The dependent turns 26 years of age.

12                  “(2) The dependent marries.

13                  “(3) Subject to subsection (c), the dependent no  
14          longer resides in the home of—

15                          “(A) the policy holder through which such  
16                          dependent is eligible for dependent coverage; or

17                          “(B) in the case that the policy holder  
18                          through which such dependent is eligible for de-  
19                          pendent coverage provides such coverage subject  
20                          to an order to provide child support, the de-  
21                          pendent’s parent or legal guardian.

22          “(b) EXCEPTION FOR COLLEGE STUDENTS.—Para-  
23          graph (3) of subsection (a) shall not apply to a dependent  
24          for any period of time during which such dependent is en-  
25          rolled as a full-time student at a postsecondary edu-

1 cational institution (including an institution of higher edu-  
2 cation as defined in section 102 of the Higher Education  
3 Act of 1965).

4 “(c) LIMITATION.—Nothing in this section shall re-  
5 quire a plan or an issuer described in subsection (a) to  
6 make coverage available for a child of an individual receiv-  
7 ing dependent coverage pursuant to this section.

8 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
9 tion shall be construed to modify the definition of ‘depend-  
10 ent’ as used in the Internal Revenue Code of 1986 with  
11 respect to the tax treatment of the cost of coverage.”.

12 (2) REGULATIONS.—The Secretary shall pro-  
13 mulgate regulations to define the dependents to  
14 which coverage shall be made available under section  
15 2703A of the Public Health Service Act, as added  
16 by paragraph (1).

17 (b) INDIVIDUAL MARKET.—Subpart 1 of part B of  
18 title XXVII of the Public Health Service Act (42 U.S.C.  
19 300gg–41 et seq.) is amended by adding at the end the  
20 following:

21 **“SEC. 2748. EXTENSION OF DEPENDENT COVERAGE.**

22 “The provisions of section 2703A shall apply to  
23 health insurance coverage offered to individuals by a  
24 health insurance issuer in the individual market in the

1 same manner as it applies to health insurance coverage  
2 offered by a health insurance issuer in the group market.”.

3 (c) EFFECTIVE DATE CONTINGENT ON REPEAL OF  
4 PPACA.—

5 (1) IN GENERAL.—Subsections (a) and (b) and  
6 the amendments made by such subsections shall take  
7 effect upon the enactment of PPACA repeal legisla-  
8 tion described in paragraph (2) and such subsections  
9 and amendments shall have no force or effect if such  
10 PPACA repeal legislation is not enacted.

11 (2) PPACA REPEAL LEGISLATION DE-  
12 SCRIBED.—For purposes of paragraph (1), PPACA  
13 repeal legislation described in this paragraph is leg-  
14 islation that—

15 (A) repeals Public Law 111–148, and re-  
16 stores or revives the provisions of law amended  
17 or repealed, respectively, by such Act as if such  
18 Act had not been enacted and without further  
19 amendment to such provisions of law; and

20 (B) repeals title I and subtitle B of title II  
21 of the Health Care and Education Reconcili-  
22 ation Act of 2010 (Public Law 111–152), and  
23 restores or revives the provisions of law amend-  
24 ed or repealed, respectively, by such title or  
25 subtitle, respectively, as if such title and sub-

1 title had not been enacted and without further  
2 amendment to such provisions of law.

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