

114TH CONGRESS
1ST SESSION

H. R. 537

To require any communication using Federal funds to advertise or educate the public on certain provisions of the Patient Protection and Affordable Care Act and the Healthcare and Education Reconciliation Act of 2010 to state that such communication was produced at taxpayer expense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2015

Mr. WOMACK (for himself, Mr. CRAWFORD, Mr. HILL, Mr. WESTERMAN, Mr. JOLLY, Mr. LOUDERMILK, Mr. RODNEY DAVIS of Illinois, Mr. BARR, Mr. BENISHEK, Mr. NUNNELEE, Mr. AMODEI, Mr. JOYCE, Mr. KELLY of Pennsylvania, Mr. MULVANEY, Mr. OLSON, Mr. FARENTHOLD, Mr. GROTHMAN, and Mr. RIBBLE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and the Workforce, 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 require any communication using Federal funds to advertise or educate the public on certain provisions of the Patient Protection and Affordable Care Act and the Healthcare and Education Reconciliation Act of 2010 to state that such communication was produced at taxpayer expense, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Truth in Obamacare
3 Advertising Act of 2015”.

4 **SEC. 2. REQUIREMENTS FOR ADVERTISEMENTS OF THE AF-**
5 **FORDABLE CARE ACT.**

6 (a) IDENTIFICATION OF COST TO TAXPAYERS.—

7 Each communication that is federally funded, directly or
8 indirectly, to advertise or educate the public on the provi-
9 sions described in subsection (c) or any programs, activi-
10 ties, requirements, or regulations established, funded, or
11 authorized by such provisions, shall include a statement
12 clearly indicating—

13 (1) in the case of a printed communication, in-
14 cluding mailings, signs, and billboards, that the com-
15 munication is printed and published at taxpayer ex-
16 pense; or

17 (2) in the case of a communication transmitted
18 through radio, television, the Internet, or any means
19 other than the means described in paragraph (1),
20 that the communication is produced and dissemi-
21 nated at taxpayer expense.

22 (b) ADDITIONAL REQUIREMENTS.—

23 (1) PRINTED COMMUNICATION.—Any statement
24 required under subsection (a)(1) for a printed com-
25 munication shall—

1 (A) be of sufficient type size to be clearly
2 readable by the viewer of the communication;

3 (B) be contained in a printed box set apart
4 from the other contents of the communication;
5 and

6 (C) be printed with a reasonable degree of
7 color contrast between the background and the
8 printed statement.

9 (2) AUDIO, VIDEO, AND INTERNET COMMUNICA-
10 TION.—

11 (A) REQUIREMENT FOR AUDIO AND VIDEO
12 COMMUNICATION.—Any statement required
13 under subsection (a)(2) for an audio or video
14 communication shall be conveyed in a clearly
15 spoken manner.

16 (B) ADDITIONAL REQUIREMENTS FOR
17 VIDEO COMMUNICATION.—In addition to the re-
18 quirement in subparagraph (A), any statement
19 required under subsection (a)(2) for a video
20 communication shall—

21 (i) be conveyed by a voice-over or
22 screen view of the person making the state-
23 ment; and

24 (ii) appear in writing at the end of the
25 communication in a clearly readable man-

1 ner with a reasonable degree of color con-
2 trast between the background and the
3 printed statement, for a period of at least
4 4 seconds.

5 (C) REQUIREMENTS FOR E-MAIL COMMU-
6 NICATION.—Any statement required under sub-
7 section (a)(2) for an e-mail communication
8 shall—

9 (i) be of sufficient type size to be
10 clearly readable by the recipient of the
11 communication;

12 (ii) be set apart from the other con-
13 tents of the communication; and

14 (iii) be displayed with a reasonable de-
15 gree of color contrast between the back-
16 ground and the statement.

17 (c) COVERED PROVISIONS.—The requirements in this
18 section apply to the following provisions of Federal law:

19 (1) Title I of the Patient Protection and Af-
20 fordable Care Act (Public Law 111–148), including
21 any amendments made by such title.

22 (2) Any provision of the Patient Protection and
23 Affordable Care Act that amends title XIX of the
24 Social Security Act (42 U.S.C. 1396 et seq.) or oth-

1 erwise expands, provides funding for, or modifies the
2 Medicaid program under such title.

3 (3) Subtitles A, C, and E of title I and subtitle
4 B of title II of the Health Care and Education Rec-
5 onciliation Act of 2010 (Public Law 111–152), in-
6 cluding any amendments made by such provisions.

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