

**Calendar No. 618**114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3296**

To amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

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**IN THE SENATE OF THE UNITED STATES**

SEPTEMBER 7, 2016

Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, Mr. JOHNSON, Mr. ISAKSON, Mr. WICKER, Mr. GARDNER, Mr. TILLIS, and Mr. PERDUE) introduced the following bill; which was read the first time

SEPTEMBER 8, 2016

Read the second time and placed on the calendar

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**A BILL**

To amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

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 “Protection from  
3 ObamaCare Monopolies Act”.

4 **SEC. 2. MODIFICATIONS TO EXEMPTION FROM REQUIRE-**  
5 **MENT TO MAINTAIN HEALTH COVERAGE.**

6 (a) EXEMPTION FOR INDIVIDUALS IN AREAS WITH  
7 FEWER THAN 2 ISSUERS OFFERING PLANS ON AN EX-  
8 CHANGE.—Section 5000A(e) of the Internal Revenue Code  
9 of 1986 is amended by adding at the end the following  
10 new paragraph:

11 “(6) INDIVIDUALS IN AREAS WITH FEWER  
12 THAN 2 ISSUERS OFFERING PLANS ON AN EX-  
13 CHANGE.—

14 “(A) IN GENERAL.—Any applicable indi-  
15 vidual for any period during a calendar year if  
16 there are fewer than 2 health insurance issuers  
17 offering qualified health plans on an Exchange  
18 for such period in the county in which the ap-  
19 plicable individual resides.

20 “(B) AGGREGATION RULES.—For purposes  
21 of subparagraph (A), all health insurance  
22 issuers treated as a single employer under sub-  
23 section (a) or (b) of section 52, or subsection  
24 (m) or (o) of section 414, shall be treated as a  
25 single health insurance issuer.”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 this section shall apply to months beginning after the date  
3 of the enactment of this Act.

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