

114TH CONGRESS
2D SESSION

S. 3311

To amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2016

Mr. SASSE (for himself, Mr. PORTMAN, Mr. COTTON, Mr. MCCAIN, and Mr. VITTER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

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 “CO-OP Consumer Pro-
5 tection Act of 2016”.

1 **SEC. 2. EXEMPTION OF PARTICIPANTS IN TERMINATED**
2 **PLANS UNDER CONSUMER OPERATED AND**
3 **ORIENTED PLAN PROGRAM.**

4 (a) IN GENERAL.—Subsection (e) of section 5000A
5 of the Internal Revenue Code of 1986 is amended by add-
6 ing at the end the following new paragraph:

7 “(6) PARTICIPANTS IN CERTAIN TERMINATED
8 CONSUMER OPERATED AND ORIENTED PLAN PRO-
9 GRAM PLANS.—Any applicable individual, if—

10 “(A) the individual was enrolled in a quali-
11 fied health plan offered by a qualified nonprofit
12 health insurance issuer (as defined in sub-
13 section (c) of section 1322 of the Patient Pro-
14 tection and Affordable Care Act) receiving
15 funds through the Consumer Operated and Ori-
16 ented Plan program established under such sec-
17 tion for such plan, and

18 “(B) during any month while the indi-
19 vidual was so enrolled, such issuer terminated
20 or otherwise discontinued providing all plans of
21 the issuer in the area in which the individual
22 resides,

23 for such month and any subsequent month.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to months in taxable years begin-
3 ning after December 31, 2013.

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