

116TH CONGRESS
1ST SESSION

S. 964

To amend the Patient Protection and Affordable Care Act to improve cost-sharing subsidies.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2019

Mrs. SHAHEEN (for herself, Ms. STABENOW, Mr. CASEY, Mr. REED, Mr. BLUMENTHAL, Ms. HASSAN, Ms. KLOBUCHAR, Mr. TESTER, Mr. Kaine, Mr. KING, Ms. HARRIS, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. HIRONO, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Patient Protection and Affordable Care Act
to improve cost-sharing subsidies.

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 “Marketplace Certainty
5 Act”.

6 **SEC. 2. ENHANCEMENTS FOR REDUCED COST-SHARING.**

7 (a) MODIFICATION OF AMOUNT.—

1 (1) IN GENERAL.—Section 1402(c)(2) of the
2 Patient Protection and Affordable Care Act is
3 amended to read as follows:

4 “(2) ADDITIONAL REDUCTION.—The Secretary
5 shall establish procedures under which the issuer of
6 a qualified health plan to which this section applies
7 shall further reduce cost-sharing under the plan in
8 a manner sufficient to—

9 “(A) in the case of an eligible insured
10 whose household income is not less than 100
11 percent but not more than 200 percent of the
12 poverty line for a family of the size involved, in-
13 crease the plan’s share of the total allowed
14 costs of benefits provided under the plan to 95
15 percent of such costs;

16 “(B) in the case of an eligible insured
17 whose household income is more than 200 per-
18 cent but not more than 300 percent of the pov-
19 erty line for a family of the size involved, in-
20 crease the plan’s share of the total allowed
21 costs of benefits provided under the plan to 90
22 percent of such costs; and

23 “(C) in the case of an eligible insured
24 whose household income is more than 300 per-
25 cent but not more than 400 percent of the pov-

erty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 85 percent of such costs.”.

(2) CONFORMING AMENDMENT.—Clause (i) of section 1402(c)(1)(B) of such Act is amended to read as follows:

“(i) IN GENERAL.—The Secretary shall ensure the reduction under this paragraph shall not result in an increase in the plan’s share of the total allowed costs of benefits provided under the plan above—

“(I) 95 percent in the case of an eligible insured described in paragraph (2)(A);

“(II) 90 percent in the case of an eligible insured described in paragraph (2)(B); and

“(III) 85 percent in the case of an eligible insured described in paragraph (2)(C).”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to plan years beginning after December 31, 2019.

1 (b) FUNDING.—Section 1402 of the Patient Protec-
2 tion and Affordable Care Act is amended by adding at
3 the end the following new subsection:

4 “(g) FUNDING.—Out of any funds in the Treasury
5 not otherwise appropriated, there are appropriated to the
6 Secretary such sums as may be necessary for payments
7 under this section.”.

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