

111TH CONGRESS  
1ST SESSION

# H. R. 3821

To prevent States from limiting employers from using auto-enrollment for employee health insurance coverage.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2009

Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, and Mr. BUYER) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To prevent States from limiting employers from using auto-enrollment for employee health insurance coverage.

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 “Improved Employee  
5 Access to Health Insurance Act of 2009”.

6 **SEC. 2. LIMITATIONS ON STATE RESTRICTIONS ON EM-**  
7 **PLOYER AUTO-ENROLLMENT.**

8 (a) IN GENERAL.—No State shall establish a law  
9 that prevents an employer from instituting an auto-enroll-  
10 ment process for coverage of a participant or beneficiary

1 under a group health plan, or health insurance coverage  
2 offered in connection with such a plan, so long as the par-  
3 ticipant or beneficiary has the option of declining such  
4 coverage.

5 (b) CONSTRUCTION.—Nothing in this section shall be  
6 construed to supersede State law which establishes, imple-  
7 ments, or continues in effect any standard or requirement  
8 relating to employers in connection—

9 (1) with payroll; or—

10 (2) the sponsoring of employer sponsored health  
11 insurance coverage,

12 except to the extent that such standard or requirement  
13 prevents an employer from instituting the auto-enrollment  
14 process described in subsection (a).

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