

115TH CONGRESS
1ST SESSION

H. R. 4225

To amend the Patient Protection and Affordable Care Act by clarifying that State Exchanges are prohibited from imposing fees or assessments on issuers of excepted benefits and standalone dental plans not sold through an Exchange.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2017

Mr. HUDSON introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Patient Protection and Affordable Care Act by clarifying that State Exchanges are prohibited from imposing fees or assessments on issuers of excepted benefits and standalone dental plans not sold through 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. PROHIBITING STATE EXCHANGES FROM IM-**
2 **POSING ASSESSMENTS OR FEES ON EX-**
3 **CEPTED BENEFITS AND STANDALONE DEN-**
4 **TAL PLANS NOT SOLD THROUGH AN EX-**
5 **CHANGE.**

6 (a) **IN GENERAL.**—Section 1311(d)(5) of the Patient
7 Protection and Affordable Care Act (42 U.S.C.
8 18031(d)(5)) is amended—

9 (1) in subparagraph (A), by inserting “, subject
10 to subparagraph (C)” after “its operations”; and

11 (2) by adding at the end the following new sub-
12 paragraph:

13 “(C) **LIMITATION.**—For purposes of sub-
14 paragraph (A), a State, with respect to an Ex-
15 change within such State, may not charge a
16 health insurance issuer an assessment, user fee,
17 tax, or any other fee—

18 “(i) on excepted benefits coverage
19 within the meaning of section 2791(c) of
20 the Public Health Service Act that is not
21 sold on an Exchange; or

22 “(ii) on standalone dental plans de-
23 scribed in paragraph (2)(B)(ii) that are
24 not sold on an Exchange.”.

25 (b) **EFFECTIVE DATE.**—The amendments made by
26 subsection (a) shall apply to assessments, user fees, taxes,

- 1 and other fees imposed, assessed, or collected on or after
- 2 January 1, 2018.

