

114TH CONGRESS
2D SESSION

H. R. 5589

To amend title I of the Patient Protection and Affordable Care Act to require verification for eligibility for enrollment during special enrollment periods in PPACA insurance plans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2016

Mrs. BLACKBURN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title I of the Patient Protection and Affordable Care Act to require verification for eligibility for enrollment during special enrollment periods in PPACA insurance plans, and for other purposes.

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 “Plan Verification and
5 Fairness Act of 2016”.

1 **SEC. 2. REQUIRING VERIFICATION FOR ELIGIBILITY FOR**
2 **ENROLLMENT DURING SPECIAL ENROLL-**
3 **MENT PERIODS IN PPACA INSURANCE PLANS.**

4 (a) IN GENERAL.—Section 1311(c) of the Patient
5 Protection and Affordable Care Act (42 U.S.C. 18031(c))
6 is amended by adding at the end the following new para-
7 graph:

8 “(7) VERIFICATION REQUIREMENT FOR SPE-
9 CIAL ENROLLMENT PERIODS.—

10 “(A) IN GENERAL.—The Secretary shall
11 provide that, in the case of a special enrollment
12 period provided for under paragraph (6)(C)
13 that is with respect to a plan year that begins
14 on or after January 1, 2017, qualified health
15 plans offered through an Exchange may not
16 make coverage effective with respect to an indi-
17 vidual enrolling during such period until the
18 Exchange verifies, through an approved verifi-
19 cation process described in subparagraph (B),
20 that the individual, with respect to such Ex-
21 change, is a qualified individual who is eligible
22 to enroll during such period.

23 “(B) APPROVED VERIFICATION PROCESS
24 DESCRIBED.—For purposes of subparagraph
25 (A), an approved verification process described
26 in this subparagraph is a process specified by

1 the Secretary through interim final rulemaking
2 that requires an individual described in sub-
3 paragraph (A) seeking to enroll in a qualified
4 health plan described in such subparagraph to
5 submit to the Exchange such documents as the
6 Secretary determines are necessary in order for
7 the Exchange to verify that the individual, with
8 respect to such Exchange, is a qualified indi-
9 vidual who is eligible to enroll during a period
10 described in such subparagraph. To the extent
11 practicable, such process shall be similar to the
12 review and assessment process pertaining to
13 special enrollment periods described at 81 Fed.
14 Reg. 12274 in the final rule entitled ‘Patient
15 Protection and Affordable Care Act; HHS No-
16 tice of Benefit and Payment Parameters for
17 2017’, published at 81 Fed. Reg. 12203 (March
18 8, 2016).”.

19 (b) STUDY AND REPORT.—

20 (1) STUDY.—The Inspector General of the De-
21 partment of Health and Human Services shall con-
22 duct a study on enrollment by individuals in quali-
23 fied health plans (as defined in section 1301(a) of
24 the Patient Protection and Affordable Care Act (42
25 U.S.C. 18021(a))) during special enrollment periods

1 provided for under section 1311(c)(6)(C) of such Act
2 (42 U.S.C. 18031(c)(6)(C)) that are with respect to
3 plan year 2015. Such study shall include, with re-
4 spect to each such period, an identification of each
5 of the following:

6 (A) The number of individuals who sought
7 to enroll in such a plan through an Exchange
8 established under such Act during such period
9 but who were not allowed to so enroll during
10 such period.

11 (B) The number of such individuals who
12 were not allowed to so enroll through such an
13 Exchange during such period on account of
14 each of the following:

15 (i) The individual did not provide to
16 the Exchange documentation to dem-
17 onstrate that the individual was, with re-
18 spect to the Exchange, a qualified indi-
19 vidual (as defined in section 1312(f)(1) of
20 such Act (42 U.S.C. 18032(f)(1))) who
21 was eligible to enroll during such period.

22 (ii) Such documentation provided to
23 the Exchange by the individual was invalid.

24 (2) REPORT.—Not later than June 1, 2017,
25 such Inspector General shall submit to Congress a

- 1 report on the findings of the study conducted under
- 2 paragraph (1).

○