

114TH CONGRESS
2D SESSION

H. R. 6514

To amend the Patient Protection and Affordable Care Act to redirect user fees assessed of health insurance issuers on Federal Exchanges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2016

Mr. LANCE 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 to redirect user fees assessed of health insurance issuers on Federal Exchanges, 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. REDIRECTING USER FEES ASSESSED OF**
4 **HEALTH INSURANCE ISSUERS ON FEDERAL**
5 **EXCHANGES.**

6 (a) TRANSFER OF FUNDS.—Section 1341 of the Pa-
7 tient Protection and Affordable Care Act (42 U.S.C.
8 18061) is amended by adding at the end the following new
9 subsection:

1 “(e) TRANSFER OF FUNDS.—

2 “(1) IN GENERAL.—With respect to each month
3 of plan year 2018 and of each plan year thereafter,
4 the Secretary shall deposit into the general fund of
5 the Treasury of the United States the amount de-
6 scribed in paragraph (2).

7 “(2) AMOUNT OF DEPOSIT.—The amount de-
8 scribed in this paragraph, with respect to a month
9 described in paragraph (1), is an amount that is
10 equal to \$1.50 multiplied by the number of individ-
11 uals that, with respect to the month prior to such
12 month, were enrolled in health insurance coverage
13 through an Exchange established and operated by
14 the Secretary under section 1321 (including an Ex-
15 change established and operated by the Secretary in
16 conjunction with a State, commonly known as a ‘hy-
17 brid’ Exchange).

18 “(3) TIMING OF DEPOSIT.—With respect to
19 each deposit that the Secretary makes pursuant to
20 paragraph (1) with respect to a month, the Sec-
21 retary shall make such deposit not later than 60
22 days after the date on which the applicable reinsur-
23 ance entity described in subsection (b)(1)(A) collects
24 payments with respect to such month from health

1 insurance issuers described in such subsection pur-
2 suant to such subsection.”.

3 (b) CAP ON FEDERAL EXCHANGE USER FEES.—Sec-
4 tion 1311(d)(5) of the Patient Protection and Affordable
5 Care Act (42 U.S.C. 18031(d)(5)) is amended by adding
6 at the end the following new subparagraph:

7 “(C) CAP ON FEDERAL EXCHANGE USER
8 FEES.—In the case that an Exchange estab-
9 lished and operated by the Secretary under sec-
10 tion 1321 (including an Exchange established
11 and operated by the Secretary in conjunction
12 with a State, commonly known as a ‘hybrid’
13 Exchange) charges user fees to a participating
14 health insurance issuer, such user fees charged
15 to such issuer may not exceed a monthly rate
16 that is equal to 3.5 percent of the monthly pre-
17 mium for each plan offered by the issuer on the
18 Exchange.”.

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