

116TH CONGRESS
2D SESSION

H. R. 6532

To amend the Patient Protection and Affordable Care Act to require the Secretary of Health and Human Services to establish a special enrollment period during the COVID–19 emergency period and to carry out outreach and educational activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2020

Mr. DOGGETT (for himself, Ms. WILD, and Mrs. BUSTOS) 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 require the Secretary of Health and Human Services to establish a special enrollment period during the COVID–19 emergency period and to carry out outreach and educational activities, 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 “COVID Special Enroll-
5 ment Act of 2020”.

1 **SEC. 2. SPECIAL ENROLLMENT PERIOD THROUGH EX-**
2 **CHANGES; FEDERAL EXCHANGE OUTREACH**
3 **AND EDUCATIONAL ACTIVITIES.**

4 (a) SPECIAL ENROLLMENT PERIOD THROUGH EX-
5 CHANGES.—Section 1311(c) of the Patient Protection and
6 Affordable Care Act (42 U.S.C. 18031(c)) is amended—

7 (1) in paragraph (6)—

8 (A) in subparagraph (C), by striking at the
9 end “and”;

10 (B) in subparagraph (D), by striking at
11 the end the period and inserting “; and”; and

12 (C) by adding at the end the following new
13 subparagraph:

14 “(E) subject to subparagraph (B) of para-
15 graph (8), the special enrollment period de-
16 scribed in subparagraph (A) of such para-
17 graph.”; and

18 (2) by adding at the end the following new
19 paragraph:

20 “(8) SPECIAL ENROLLMENT PERIOD FOR CER-
21 TAIN PUBLIC HEALTH EMERGENCY.—

22 “(A) IN GENERAL.—The Secretary shall,
23 subject to subparagraph (B), require an Ex-
24 change to provide—

25 “(i) for a special enrollment period
26 during the emergency period described in

1 section 1135(g)(1)(B) of the Social Secu-
2 rity Act—

3 “(I) which shall begin on the
4 date that is one week after the date of
5 the enactment of this paragraph and
6 which, in the case of an Exchange es-
7 tablished or operated by the Secretary
8 within a State pursuant to section
9 1321(c), shall be an 8-week period;
10 and

11 “(II) during which any individual
12 who is otherwise eligible to enroll in a
13 qualified health plan through the Ex-
14 change may enroll in such a qualified
15 health plan; and

16 “(ii) that, in the case of an individual
17 who enrolls in a qualified health plan
18 through the Exchange during such enroll-
19 ment period, the coverage period under
20 such plan shall begin, at the option of the
21 individual, on April 1, 2020, or on the first
22 day of the month following the day the in-
23 dividual selects a plan through such special
24 enrollment period.

1 “(B) EXCEPTION.—The requirement of
2 subparagraph (A) shall not apply to a State-op-
3 erated or State-established Exchange if such
4 Exchange, prior to the date of the enactment of
5 this paragraph, established or otherwise pro-
6 vided for a special enrollment period to address
7 access to coverage under qualified health plans
8 offered through such Exchange during the
9 emergency period described in section
10 1135(g)(1)(B) of the Social Security Act.”.

11 (b) FEDERAL EXCHANGE OUTREACH AND EDU-
12 CATIONAL ACTIVITIES.—Section 1321(c) of the Patient
13 Protection and Affordable Care Act (42 U.S.C. 18041(c))
14 is amended by adding at the end the following new para-
15 graph:

16 “(3) OUTREACH AND EDUCATIONAL ACTIVI-
17 TIES.—

18 “(A) IN GENERAL.—In the case of an Ex-
19 change established or operated by the Secretary
20 within a State pursuant to this subsection, the
21 Secretary shall carry out outreach and edu-
22 cational activities for purposes of informing po-
23 tential enrollees in qualified health plans offered
24 through the Exchange of the availability of cov-
25 erage under such plans and financial assistance

1 for coverage under such plans. Such outreach
2 and educational activities shall be provided in a
3 manner that is culturally and linguistically ap-
4 propriate to the needs of the populations being
5 served by the Exchange (including hard-to-
6 reach populations, such as racial and sexual mi-
7 norities, limited English proficient populations,
8 and young adults).

9 “(B) LIMITATION ON USE OF FUNDS.—No
10 funds appropriated under this paragraph shall
11 be used for expenditures for promoting non-
12 ACA compliant health insurance coverage.

13 “(C) NON-ACA COMPLIANT HEALTH INSUR-
14 ANCE COVERAGE.—For purposes of subpara-
15 graph (B):

16 “(i) The term ‘non-ACA compliant
17 health insurance coverage’ means health
18 insurance coverage, or a group health plan,
19 that is not a qualified health plan.

20 “(ii) Such term includes the following:

21 “(I) An association health plan.

22 “(II) Short-term limited duration
23 insurance.

24 “(D) FUNDING.—Out of any funds in the
25 Treasury not otherwise appropriated, there are

1 hereby appropriated \$25,000,000 to carry out
2 this paragraph. Funds appropriated under this
3 subparagraph shall remain available until ex-
4 pended.”.

5 (c) IMPLEMENTATION.—The Secretary of Health and
6 Human Services may implement the provisions of (includ-
7 ing amendments made by) this section through subregu-
8 latory guidance, program instruction, or otherwise.

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