

115TH CONGRESS  
2D SESSION

# H. R. 7102

To amend the Patient Protection and Affordable Care Act to provide for additional requirements with respect to the navigator program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2018

Ms. CASTOR of Florida (for herself and Ms. BLUNT ROCHESTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Patient Protection and Affordable Care Act to provide for additional requirements with respect to the navigator program, 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 “Expand Navigators’  
5 Resources for Outreach, Learning, and Longevity Act of  
6 2018” or the “ENROLL Act of 2018”.

1 **SEC. 2. PROVIDING FOR ADDITIONAL REQUIREMENTS**  
2 **WITH RESPECT TO THE NAVIGATOR PRO-**  
3 **GRAM.**

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

7 (1) in paragraph (2), by adding at the end the  
8 following new subparagraph:

9 “(C) SELECTION OF RECIPIENTS.—In  
10 awarding grants under paragraph (1), the Ex-  
11 change shall—

12 “(i) select entities to receive such  
13 grants based solely on an entity’s dem-  
14 onstrated capacity to carry out each of the  
15 duties specified in paragraph (3);

16 “(ii) not take into account whether or  
17 not the entity—

18 “(I) has demonstrated how the  
19 entity will provide information to indi-  
20 viduals relating to group health plans  
21 offered by a group or association of  
22 employers described in section  
23 2510.3–5(b) of title 29, Code of Fed-  
24 eral Regulations (or any successor  
25 regulation), or short-term limited du-  
26 ration insurance (as defined by the

1 Secretary for purposes of section  
2 2791(b)(5) of the Public Health Serv-  
3 ice Act); or

4 “(II) has developed a plan—

5 “(aa) to inform individuals  
6 of the option not to purchase  
7 health insurance coverage that  
8 covers abortion services or how  
9 individuals may receive a hard-  
10 ship exemption if all qualified  
11 health plans offered through such  
12 Exchange provide coverage of  
13 such services; or

14 “(bb) to provide information  
15 and assistance to individuals with  
16 respect to prohibitions on the use  
17 of premium assistance tax credits  
18 described in section 36B of the  
19 Internal Revenue Code of 1986  
20 and cost-sharing reductions de-  
21 scribed in section 1402 from  
22 being used to cover abortion serv-  
23 ices, the process by which health  
24 insurance issuers must develop  
25 premiums for qualified health

1 plans that cover such services,  
2 and segregation of funds require-  
3 ments for such issuers; and

4 “(iii) ensure that, each year, the Ex-  
5 change awards such a grant to—

6 “(I) at least one entity described  
7 in this paragraph that is a community  
8 and consumer-focused nonprofit  
9 group; and

10 “(II) at least one entity described  
11 in subparagraph (B), which may in-  
12 clude another community and con-  
13 sumer-focused nonprofit group in ad-  
14 dition to any such group awarded a  
15 grant pursuant to subclause (I).”;

16 (2) in paragraph (3)(C), by inserting after  
17 “qualified health plans” the following: “, State med-  
18 icaid plans under title XIX of the Social Security  
19 Act, and State children’s health insurance programs  
20 under title XXI of such Act”; and

21 (3) in paragraph (4)(A)—

22 (A) in the matter preceding clause (i), by  
23 striking “not”;

24 (B) in clause (i)—

1 (i) by inserting “not” before “be”;

2 and

3 (ii) by striking “; or” and inserting

4 “;”;

5 (C) in clause (ii)—

6 (i) by inserting “not” before “re-

7 ceive”; and

8 (ii) by striking the period and insert-

9 ing “;”; and

10 (D) by adding at the end the following new

11 clause:

12 “(iii) maintain physical presence in

13 the State of the Exchange so as to allow

14 in-person assistance to consumers.”.

15 (b) EXCHANGES OPERATED BY THE SECRETARY.—

16 Section 1321(c) of the Patient Protection and Affordable

17 Care Act (42 U.S.C. 18041(c)) is amended by adding at

18 the end the following new paragraph:

19 “(3) NAVIGATOR PROGRAM AND OUTREACH

20 AND ENROLLMENT ACTIVITIES.—

21 “(A) NAVIGATOR PROGRAM.—

22 “(i) IN GENERAL.—In the case of an

23 Exchange established or operated by the

24 Secretary within a State pursuant to this

25 subsection, the Secretary shall establish a

1 program under which such Exchange  
2 awards grants, with respect to such State,  
3 to entities that would be described in para-  
4 graph (2) of section 1311(i) to carry out  
5 the duties that would be described in para-  
6 graph (3) of such section if the references  
7 in such section 1311(i) to ‘this subsection’  
8 and ‘paragraph (1)’ were each instead a  
9 reference to ‘paragraph (3)(A) of section  
10 1321(c)’.

11 “(ii) APPLICATION OF STATE EX-  
12 CHANGE NAVIGATOR PROVISIONS.—For  
13 purposes of carrying out this subpara-  
14 graph, the provisions of paragraphs (2)  
15 through (5) of section 1311(i) shall apply  
16 to the Secretary with respect to an Ex-  
17 change described in clause (i) established  
18 or operated within a State and the pro-  
19 gram under this subparagraph, with re-  
20 spect to such State, in the same manner as  
21 such provisions apply to a State with re-  
22 spect to an Exchange described in section  
23 1311(i) established by the State and the  
24 program established under such section.

1           “(iii) FUNDING.—For purposes of  
2 carrying out this subparagraph, the Sec-  
3 retary shall obligate \$100,000,000 out of  
4 amounts collected through the user fees on  
5 participating health insurance issuers pur-  
6 suant to section 156.50 of title 45, Code of  
7 Federal Regulations (or any successor reg-  
8 ulations) for each of fiscal year 2019 and  
9 each subsequent fiscal year. Such amount  
10 for a fiscal year shall remain available  
11 until expended.

12           “(B) OUTREACH AND EDUCATIONAL AC-  
13 TIVITIES.—

14           “(i) IN GENERAL.—In the case of an  
15 Exchange established or operated by the  
16 Secretary within a State pursuant to this  
17 subsection, the Secretary shall carry out  
18 outreach and educational activities for pur-  
19 poses of informing potential enrollees in  
20 qualified health plans offered through the  
21 Exchange of the availability of coverage  
22 under such plans and financial assistance  
23 for coverage under such plans. Such out-  
24 reach and educational activities shall be  
25 provided in a manner that is culturally and

1 linguistically appropriate to the needs of  
2 the populations being served by the Ex-  
3 change (including hard-to-reach popu-  
4 lations, such as racial and sexual minori-  
5 ties, limited English proficient populations,  
6 and young adults).

7 “(ii) FUNDING.—For purposes of car-  
8 rying out this subparagraph, the Secretary  
9 shall obligate \$100,000,000 out of the  
10 amounts collected through the user fees on  
11 participating health insurance issuers pur-  
12 suant to section 156.50 of title 45, Code of  
13 Federal Regulations (or any successor reg-  
14 ulations) for each of fiscal years 2019  
15 through 2021. Such amount shall remain  
16 available without fiscal year limitation  
17 until expended.”.

18 (c) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply with respect to plan years begin-  
20 ning on or after January 1, 2020.

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