

118TH CONGRESS
2D SESSION

S. 3932

To prohibit the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury from finalizing a rule proposing restrictions on short-term limited duration insurance, and to amend title XXVII of the Public Health Service Act to define such insurance.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury from finalizing a rule proposing restrictions on short-term limited duration insurance, and to amend title XXVII of the Public Health Service Act to define such insurance.

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 “Patient’s Choice Act
5 of 2024”.

1 **SEC. 2. PROHIBITION ON FINALIZING PROPOSED RULE TO**
2 **RESTRICT SHORT-TERM LIMITED DURATION**
3 **INSURANCE.**

4 The Secretary of Health and Human Services, the
5 Secretary of Labor, and the Secretary of the Treasury
6 may not take any action to implement, enforce, or other-
7 wise give effect to the proposed rule issued by the Internal
8 Revenue Service, the Employee Benefits Security Admin-
9 istration, and the Centers for Medicare & Medicaid Serv-
10 ices titled “Short-Term, Limited-Duration Insurance;
11 Independent, Noncoordinated Excepted Benefits Cov-
12 erage; Level-Funded Plan Arrangements; and Tax Treat-
13 ment of Certain Accident and Health Insurance” (88 Fed.
14 Reg. 44596 (July 12, 2023)) and may not promulgate,
15 implement, enforce, or otherwise give effect to any other
16 substantially similar rule that would reduce the maximum
17 term length or duration for short-term limited duration
18 insurance plans from the duration allowed as of the date
19 of the enactment of this Act.

20 **SEC. 3. SHORT-TERM LIMITED DURATION INSURANCE DE-**
21 **FINED.**

22 Section 2791(b) of the Public Health Service Act (42
23 U.S.C. 300gg–91(b)) is amended by adding at the end the
24 following new paragraph:

25 “(6) **SHORT-TERM LIMITED DURATION INSUR-**
26 **ANCE.**—The term ‘short-term limited duration insur-

1 ance’ means health insurance coverage provided
2 under a contract with a health insurance issuer
3 that—

4 “(A) has an expiration date specified in
5 the contract that is less than 12 months after
6 the original effective date of the contract; and

7 “(B) has a duration of not more than 36
8 months (taking into account renewals or exten-
9 sions) after the original effective date of the
10 contract.”.

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