

114TH CONGRESS
1ST SESSION

H. R. 1664

To authorize health insurance issuers to continue to offer for sale current group and individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2015

Mr. CULBERSON introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize health insurance issuers to continue to offer for sale current group and individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, 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 “Health Insurance
5 Freedom Act of 2015”.

1 **SEC. 2. IF YOU LIKE YOUR HEALTH INSURANCE PLAN, YOU**
2 **CAN KEEP IT.**

3 (a) IN GENERAL.—Notwithstanding any provision of
4 the Patient Protection and Affordable Care Act (including
5 any amendment made by such Act or by the Health Care
6 and Education Reconciliation Act of 2010), in the case
7 of an electing State under subsection (c), a health insur-
8 ance issuer that has in effect health insurance coverage
9 in the group or individual market in such State on any
10 date during 2013 may after such date offer such coverage
11 for sale in such market in such State outside of an Ex-
12 change established under section 1311 or 1321 of such
13 Act (42 U.S.C. 18031, 18041). A group health plan shall
14 not be treated as not complying with the requirements of
15 such Act (or the amendments made by such Acts) insofar
16 as it provides health benefits through health insurance
17 coverage that is permitted under the previous sentence.

18 (b) TREATMENT AS GRANDFATHERED HEALTH
19 PLAN IN SATISFACTION OF MINIMUM ESSENTIAL COV-
20 ERAGE.—In the case of an electing State under subsection
21 (c), health insurance coverage described in subsection (a)
22 shall be treated as a grandfathered health plan for pur-
23 poses of the amendment made by section 1501(b) of the
24 Patient Protection and Affordable Care Act.

25 (c) ELECTING STATE.—A State insurance commis-
26 sioner may, in such manner and at such time as specified

1 by the Secretary of Health and Human Services, elect to
2 apply the provisions of this section with respect to health
3 insurance coverage offered in the group or individual mar-
4 ket in such State. In this section, a State with respect
5 to which such an election is made is referred to as an elect-
6 ing State.

7 (d) CONSTRUCTION.—Nothing in this section shall be
8 construed as affecting the authority of States with respect
9 to the regulation of health insurance coverage in the group
10 or individual market.

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