

118TH CONGRESS
1ST SESSION

H. R. 5752

To amend the Internal Revenue Code of 1986 to allow first-dollar coverage of mental health services for purposes of health savings accounts.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2023

Mr. FITZPATRICK (for himself and Mr. TRONE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow first-dollar coverage of mental health services for purposes of health savings accounts.

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 “Opening Plans to Indi-
5 viduals and Offering New Services for Mental Health Act
6 of 2023” or the “OPTIONS Act of 2023”.

1 **SEC. 2. SAFE HARBOR FOR ABSENCE OF DEDUCTIBLE FOR**
2 **MENTAL HEALTH SERVICES.**

3 (a) **IN GENERAL.**—Section 223(c)(2) of the Internal
4 Revenue Code of 1986 is amended by adding at the end
5 the following new subparagraph:

6 “(H) **SAFE HARBOR FOR ABSENCE OF DE-**
7 **DUCTIBLE FOR MENTAL HEALTH SERVICES.**—A
8 plan shall not fail to be treated as a high de-
9 ductible health plan by reason of failing to have
10 a deductible for not more than the first \$500
11 of any mental health benefits (as defined in sec-
12 tion 9812(e)(4)) specified by the plan for pur-
13 poses of this subparagraph.”.

14 (b) **EFFECTIVE DATE.**—The amendments made by
15 this section shall apply to plan years beginning after De-
16 cember 31, 2023.

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