

118TH CONGRESS
2D SESSION

H. R. 7868

To require the Director of the Office of Personnel Management to take certain actions with respect to the health insurance program carried out under chapter 89 of title 5, United States Code, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2024

Mr. WALTZ introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To require the Director of the Office of Personnel Management to take certain actions with respect to the health insurance program carried out under chapter 89 of title 5, United States Code, 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 “FEHB Protection
5 Act”.

6 **SEC. 2. FEHB IMPROVEMENTS.**

7 (a) **DEFINITIONS.**—In this section:

1 (1) DIRECTOR.—The term “Director” means
2 the Director of the Office of Personnel Management.

3 (2) EMPLOYING OFFICE.—The term “employing
4 office” has the meaning given the term in section
5 890.101(a) of title 5, Code of Federal Regulations,
6 or any successor regulation.

7 (3) HEALTH BENEFITS PLAN; MEMBER OF
8 FAMILY.—The terms “health benefits plan” and
9 “member of family” have the meanings given those
10 terms in section 8901 of title 5, United States Code.

11 (4) OPEN SEASON.—The term “open season”
12 means an open season described in section
13 890.301(f) of title 5, Code of Federal Regulations,
14 or any successor regulation.

15 (5) PROGRAM.—The term “Program” means
16 the health insurance programs carried out under
17 chapter 89 of title 5, United States Code, including
18 the program carried out under section 8903c of that
19 title.

20 (6) QUALIFYING LIFE EVENT.—The term
21 “qualifying life event” has the meaning given the
22 term in section 892.101 of title 5, Code of Federal
23 Regulations, or any successor regulation.

24 (b) VERIFICATION REQUIREMENTS.—Not later than
25 1 year after the date of the enactment of this Act, the

1 Director shall issue regulations and implement a process
2 to require each employing office to verify—

3 (1) the veracity of any qualifying life event
4 through which an enrollee in the Program seeks to
5 add a member of family with respect to the enrollee
6 to a health benefits plan under the Program; and

7 (2) that, when an enrollee in the Program seeks
8 to add a member of family with respect to the en-
9 rollee to the health benefits plan of the enrollee
10 under the Program, including during any open sea-
11 son, the individual so added is a qualifying member
12 of family with respect to the enrollee.

13 (c) FRAUD RISK ASSESSMENT.—In any fraud risk
14 assessment conducted with respect to the Program on or
15 after the date of the enactment of this Act, the Director
16 shall include an assessment of individuals who are enrolled
17 in, or covered under, a health benefits plan under the Pro-
18 gram even though those individuals are not eligible to be
19 so enrolled or covered.

20 (d) FAMILY MEMBER ELIGIBILITY VERIFICATION
21 AUDIT.—

22 (1) IN GENERAL.—During the 3-year period be-
23 ginning 1 year after the date of the enactment of
24 this Act, the Director, in coordination with the head
25 of each employing office, shall conduct a comprehen-

1 sive audit regarding members of family who are cov-
2 ered under an enrollment in a health benefits plan
3 under the Program.

4 (2) CONTENTS.—In conducting an audit re-
5 quired under paragraph (1), the Director, in coordi-
6 nation with the head of each employing office, shall
7 review marriage certificates, birth certificates, and
8 other appropriate documents that are necessary to
9 determine eligibility to enroll in a health benefits
10 plan under the Program.

11 (e) DISENROLLMENT OR REMOVAL.—Not later than
12 6 months after the date of the enactment of this Act, the
13 Director shall develop a process by which any individual
14 enrolled in, or covered under, a health benefits plan under
15 the Program who is not eligible to be so enrolled or cov-
16 ered shall be disenrolled or removed from enrollment in
17 a health benefits plan under the Program.

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