

116TH CONGRESS
1ST SESSION

S. 1905

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

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2019

Ms. BALDWIN (for herself, Mr. CASEY, Mrs. SHAHEEN, Mr. BOOKER, Mr. KAINE, Ms. STABENOW, Ms. HIRONO, Ms. DUCKWORTH, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. HASSAN, Mr. KING, Mr. COONS, Mr. MENENDEZ, Mr. PETERS, Mr. TESTER, Ms. HARRIS, Ms. SMITH, Mr. MURPHY, Ms. ROSEN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 2019” or the “ENROLL Act of 2019”.

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 the
10 case of an Exchange established and operated
11 by the Secretary within a State pursuant to sec-
12 tion 1321(c), in awarding grants under para-
13 graph (1), the Exchange shall—

14 “(i) select entities to receive such
15 grants based on an entity’s demonstrated
16 capacity to carry out each of the duties
17 specified in paragraph (3);

18 “(ii) not take into account whether or
19 not the entity has demonstrated how the
20 entity will provide information to individ-
21 uals relating to group health plans offered
22 by a group or association of employers de-
23 scribed in section 2510.3–5(b) of title 29,
24 Code of Federal Regulations (or any suc-
25 cessor regulation), or short-term limited
26 duration insurance (as defined by the Sec-

1 retary for purposes of section 2791(b)(5)
2 of the Public Health Service Act); and

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

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

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

15 In awarding such grants, an Exchange
16 may consider an entity’s record with re-
17 spect to waste, fraud, and abuse for pur-
18 poses of maintaining the integrity of such
19 Exchange.”;

20 (2) in paragraph (3)—

21 (A) in subparagraph (C), by inserting after
22 “qualified health plans” the following: “ , State
23 medicaid plans under title XIX of the Social
24 Security Act, and State children’s health insur-

1 ance programs under title XXI of such Act”;
2 and

3 (B) by adding at the end the following
4 flush left sentence:

5 “The duties specified in the preceding sentence may
6 be carried out by such a navigator at any time dur-
7 ing a year.”;

8 (3) in paragraph (4)(A)—

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

11 (B) in clause (i)—

12 (i) by inserting “not” before “be”;

13 and

14 (ii) by striking “; or” and inserting a
15 semicolon;

16 (C) in clause (ii)—

17 (i) by inserting “not” before “re-
18 ceive”; and

19 (ii) by striking the period and insert-
20 ing a semicolon; and

21 (D) by adding at the end the following new
22 clause:

23 “(iii) maintain physical presence in
24 the State of the Exchange so as to allow
25 in-person assistance to consumers.”; and

1 (4) in paragraph (6)—

2 (A) by striking “FUNDING.—Grants
3 under” and inserting “FUNDING.—

4 “(A) STATE EXCHANGES.—Grants under”;
5 and

6 (B) by adding at the end the following new
7 subparagraph:

8 “(B) FEDERAL EXCHANGES.—For pur-
9 poses of carrying out this subsection, with re-
10 spect to an Exchange established and operated
11 by the Secretary within a State pursuant to sec-
12 tion 1321(c), the Secretary shall obligate
13 \$100,000,000 out of amounts collected through
14 the user fees on participating health insurance
15 issuers pursuant to section 156.50 of title 45,
16 Code of Federal Regulations (or any successor
17 regulations) for fiscal year 2020 and each sub-
18 sequent fiscal year. Such amount for a fiscal
19 year shall remain available until expended.”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall apply with respect to plan years begin-
22 ning on or after January 1, 2020.

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