

117th Congress Healthcare Reform Legislation Tracker

INTRODUCTION

Below you will find brief summaries of active federal legislation focused on various health reform efforts. The document lists any proposal related to the issues areas listed below. All legislation has been introduced, with no further action taken unless otherwise noted.

QUICK LINKS

[Broker-Specific Issues](#)

[Cadillac Tax Repeal \(and Other ACA Taxes and Fees\)](#)

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NEWLY INCLUDED UPDATES

None

Health Reform Legislation by Topic

Topic	Legislation	Overview
<i>Broker-Specific Issues</i>		
	N/A	
<i>Cadillac Tax Repeal (and Other ACA Taxes and Fees)</i>		
	N/A	
<i>Wellness</i>		
	N/A	
<i>Health Savings Accounts</i>		
	Personal Health Investment Today Act of 2021 S. 844 Sen. John Thune (R-SD)	Allows taxpayers to use HSAs or other pre-tax health accounts to pay for sports equipment and other fitness expenses.
	Chronic Disease Management Act of 2021 H.R. 3563 Rep. Earl Blumenauer (D-OR)	Permits high deductible plans required for a HSA to provide chronic disease prevention and treatment with no deductible.
<i>Mandate Reform/Alternatives</i>		
	Health Care Affordability Act of 2021 H.R. 369 Rep. Lauren Underwood (D-IL)	Expands eligibility for premium tax credits beyond 400% of the federal poverty line and increases the tax credit for all income brackets.
<i>Antitrust</i>		

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	None	
<i>Interstate Sales</i>		
	None	
<i>Stop-Loss</i>		
	None	
<i>Essential Health Benefits</i>		
	None	
<i>ACA Market Reforms</i>		
	<p>Pre-existing Conditions Protection Act of 2021 H.R. 892 Rep. Cathy McMorris Rodgers (R-WA)</p>	<p>Maintains the ACA’s consumer protections (e.g., preexisting condition coverage, non-discrimination requirements, genetic information collection prohibitions, wellness provisions), if the ACA is repealed.</p>
	<p>Pre-existing Conditions Protection Act of 2021 H.R. 892 Rep. Cathy McMorris Rodgers (R-WA)</p>	<p>Maintains the ACA’s consumer protections (e.g., preexisting condition coverage, non-discrimination requirements, genetic information collection prohibitions, wellness provisions), if the ACA is repealed.</p>
	<p>Fair Indexing for Health Care Affordability Act S. 30 Sen. Jeanne Shaheen (D-NH)</p>	<p>Shifts the indexing factor used to determine eligibility for the ACA’s premium tax credits back to premium growth from employer-sponsored plans (as opposed to premium growth across all private plans, as was finalized under the Trump Administration rule).</p>
	<p>Health Care Improvement Act of 2021 S. 352 Sen. Mark Warner (D-VA)</p>	<p>Incorporates various ACA market reforms, including, among other things:</p> <ul style="list-style-type: none"> • Expands eligibility for premium tax credits and increases the total tax credit amounts; • Requires HHS to ensure that any excessive, unjustified, or unfairly discriminatory rates are corrected (i.e., by

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		<p>denying rates, modifying rates, or requiring rebates to consumers);</p> <ul style="list-style-type: none"> • Rescinds various regulatory changes provided by the Administration (e.g., rescinding guidance on the annual updates to premium tax credit eligibility and maximum out-of-pocket limits, final rule expanding STLDI plans, and Section 1332 guidance provided by the Departments of Health and Human Services (HHS) and the Treasury; • Temporarily increase federal matching funds for states that expand their Medicaid programs and reducing existing administrative payments for states that do not expand their programs; • Permanently extends funding for the federal Children’s Health Insurance Program (CHIP); • Creates a rural floor for the Area Wage Index formula the Centers for Medicare and Medicaid use to reimburse rural providers; and, <p>Commissions a Government Accountability Office (GAO) study to examine the effectiveness of the ACA’s employer reporting system from 2015-2020.</p>
	<p>Protect Act S. 322 Sen. Thom Tillis (R-NC)</p>	<p>Guarantees the availability of coverage in the individual or group market, regardless of preexisting conditions (i.e., requires insurers offering coverage in the individual or group markets—subject to limited exceptions—to accept all individuals/employers who apply during the enrollment period); prohibits discrimination against patients based on health status, among other things.</p>
	<p>Continuing Coverage for Preexisting Conditions Act S. 756 Sen. John Kennedy (R-LA)</p>	<p>Ensures that the ACA’s prohibition against preexisting condition exclusions is protected if the ACA is found to be unconstitutional or otherwise invalid.</p>
Short-Term, Limited-Duration Insurance		
	<p>Health Coverage Choice Act H.R. 31 Rep. Andy Biggs (R-AZ)</p>	<p>Redefines STLDI to allow a maximum coverage period of less than 12 months and a duration of no more than three years (e.g., including account renewals or extensions).</p>
	<p>Junk Plan Accountability and Disclosure Act</p>	<p>Prohibits false or misleading advertising for health insurance coverage, and requires warnings and reporting with</p>

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	S. 1002 Sen. Robert Casey (D-PA)	respect to noncomprehensive health plans, among other things.
Association Health Plans		
	Association Health Plans Act of 2021 H.R. 4547 Rep. Tim Walberg (R-MI)	Codifies DOL’s AHP rule and further clarifies that participating in an AHP does <u>not</u> establish a joint employer relationship under federal or state law—a topic that was discussed in the final rule, but not formally incorporated into the DOL’s regulations.
Balance Billing		
	None	
Healthcare Transparency		
	Healthcare PRICE Transparency Act H.R. 3029/S.1524 Rep. Warren Davidson (R-OH)/ Sen. Mike Braun (R-IN)	Codifies the Trump Administration’s rules requiring hospitals and health insurers to provide health care price transparency.
	Telehealth HSA Act of 2021 S. 2097 Sen. John Kennedy (R-LA)	Permits employers to offer high-deductible health plans that include telehealth services without limiting an individuals’s ability to use a HSA.
Section 1332 Waivers		
	Protecting Americans with Preexisting Conditions Act of 2021 S.779 Sen. Mark Warner (D-VA)	Prohibits HHS and Treasury from implementing, enforcing, or giving effect to the agencies’ 2018 “State Relief and Empowerment Waivers” guidance; prevents the agencies from promulgating any similar guidance or rule, among other things.

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	State-Based Universal Health Care Act of 2021 H.R. 3775 Rep. Ro Khanna (D-CA)	Establishes an ACA waiver program for certain states (e.g., states that have not applied for a 1332 waiver) to create state-based universal health care plans.
Blanket Repeal		
	None	
Multi-Issue Bills		
	None	
Miscellaneous		
	Repeal Insurance Plans of the Multi-State Program (RIP MSP) Act S. 2519 Sen. Ron Johnson (R-WI)	Repeals the ACA’s Multi-State Plan Program effective January 1, 2022.
	Increasing Health Coverage through HRAs Act H.R. 4123 Rep. Dan Bishop (R-NC)	Codifies the Departments of Treasury, Labor, and Health and Human Services final rule on ICHRAs.
	Chronic Condition Copay Elimination Act H.R. 4371 Rep. Lauren Underwood (D-IL)	Requires group health plans and group or individual health insurance issuers to provide coverage without imposing cost-sharing requirements for additional preventative care services for individuals with chronic conditions.
	Protection from Obamacare Mandates and Congressional Equity Act H.R. 64 Rep. Andy Biggs (R-AZ)	Provides an exemption to the ACA’s individual mandate for individuals residing in counties with fewer than two health insurance issuers offering plans on an exchange; expands the requirement that members of Congress and certain congressional staff purchase coverage on the exchange to include committee staffers, political appointees, the President and Vice President, and others.

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	<p>Ally's Act S. 41 Sen. Shelley Moore Capito (R-WV)</p>	<p>Requires group and individual health plans to provide coverage for hearing devices and systems.</p>
	<p>Improving Health Insurance Affordability Act S.499 Sen. Jeanne Shaheen (D-NH)</p>	<p>Expands eligibility for the ACA's premium tax credit to households that are 800% of the federal poverty level (previously capped at 400%), among other things.</p>
	<p>State Allowance for a Variety of Exchanges (SAVE) Act S.1623 Sen. Bob Menendez (D-NJ)</p>	<p>Appropriates \$200 million to award grants to states that are currently participating on the federally-facilitated exchanges that want to transition to a state-based marketplace.</p>