

117th Congress Healthcare Reform Legislation Tracker

I. Single-Issue Legislation (117th Congress) (all legislation has been introduced; no further action has been taken, unless noted)

Broker-Specific Issues

Cadillac Tax Repeal (and Other ACA Taxes and Fees)

Wellness

Health Savings Accounts

Mandate Reform/Alternatives

Antitrust

Interstate Sales

Stop-Loss

Essential Health Benefits

ACA Market Reforms

Short-Term, Limited-Duration Insurance

Association Health Plans

Balance Billing

Healthcare Transparency

Multi-Issue Bills

Section 1332 Waivers

Blanket Repeal

Miscellaneous

Broker-Specific Issues

Cadillac Tax Repeal (and Other ACA Taxes and Fees)

Wellness

Health Savings Accounts

<p>Personal Health Investment Today Act of 2011 S. 844 Sen. John Thune (R-SD)</p>	<p><i>Other</i> – Allows taxpayers to use HSAs or other pre-tax health accounts to pay for sports equipment and other fitness expenses.</p>
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Mandate Reform/Alternatives

<p>Health Care Affordability Act of 2021 H.R. 369 Rep. Lauren Underwood (D-IL)</p>	<p>Expands eligibility for premium tax credits beyond 400% of the federal poverty line and increases the tax credit for all income brackets.</p>
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Antitrust

Interstate Sales

Stop-Loss

Essential Health Benefits

ACA Market Reforms

<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non-discrimination requirements, genetic information collection prohibitions, wellness provisions), if the ACA is repealed.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>
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<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 denying rates, modifying rates, or requiring rebates to consumers); • 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, • Commissions a Government Accountability Office (GAO) study to examine the effectiveness of the ACA’s employer reporting system from 2015-2020.
<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 S. 1002 Sen. Robert Casey (D-PA)</p>	<p>Prohibits false or misleading advertising for health insurance coverage, and requires warnings and reporting with respect to noncomprehensive health plans, among other things.</p>

Association Health Plans

Balance Billing

Healthcare Transparency

Multi-Issue Bills

Section 1332 Waivers

<p>Protecting Americans with Preexisting Conditions Act of 2021 S.779 Sen. Mark Warner (D-VA)</p>	<p>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.</p>
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Blanket Repeal

Miscellaneous

<p>Protection from Obamacare Mandates and Congressional Equity Act H.R. 64 Rep. Andy Biggs (R-AZ)</p>	<p>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.</p>
<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>