

117TH CONGRESS
1ST SESSION

H. R. 4669

To expand cost-sharing reductions with respect to qualified health plans offered through an Exchange, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2021

Ms. SCHRIER (for herself, Ms. SEWELL, and Ms. MANNING) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expand cost-sharing reductions with respect to qualified health plans offered through an Exchange, 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 “Capping Costs for Con-
5 sumers Act of 2021”.

1 **SEC. 2. EXPANDING COST-SHARING REDUCTIONS UNDER**
2 **EXCHANGE PLANS.**

3 (a) IN GENERAL.—Section 1402 of the Patient Pro-
4 tection and Affordable Care Act (42 U.S.C. 18071) is
5 amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “who en-
8 rolls” and inserting “subject to the last sen-
9 tence of this subsection, who enrolls”; and

10 (B) by adding at the end the following sen-
11 tence: “With respect to plan years beginning on
12 or after January 1, 2023, paragraph (1) shall
13 be applied as if the reference to the silver level
14 of coverage were a reference to the gold level of
15 coverage.”;

16 (2) in subsection (c)(1)(B)(i)—

17 (A) in subclause (II), by striking “an eligi-
18 ble insured described in paragraph (2)(B)” and
19 inserting “, with respect to plan years begin-
20 ning before January 1, 2023, an eligible in-
21 sured described in paragraph (2)(B)(i) and,
22 with respect to plan years beginning on or after
23 January 1, 2023, an eligible insured described
24 in paragraph (2)(B)(ii)”; and

25 (B) by amending subclauses (III) and (IV)
26 to read as follows:

1 “(III) with respect to plan years
2 beginning before January 1, 2023—

3 “(aa) 73 percent in the case
4 of an eligible insured whose
5 household income is more than
6 200 percent but not more than
7 250 percent of the poverty line
8 for a family of the size involved;
9 and

10 “(bb) 70 percent in the case
11 of an eligible insured whose
12 household income is more than
13 250 percent but not more than
14 400 percent of the poverty line
15 for a family of the size involved;
16 and

17 “(IV) with respect to plan years
18 beginning on or after January 1,
19 2023, 85 percent in the case of an eli-
20 gible insured described in paragraph
21 (2)(C)(ii).”;

22 (3) in subsection (c)(2), by amending subpara-
23 graphs (B) and (C) to read as follows:

24 “(B) in the case of—

1 “(i) with respect to plan years begin-
2 ning before January 1, 2023, an eligible
3 insured whose household income is more
4 than 150 percent but not more than 200
5 percent of the poverty line for a family of
6 the size involved, increase the plan’s share
7 of the total allowed costs of benefits pro-
8 vided under the plan to 87 percent of such
9 costs; and

10 “(ii) with respect to plan years begin-
11 ning on or after January 1, 2023, an eligi-
12 ble insured whose household income is
13 more than 150 percent but not more than
14 300 percent of the poverty line for a family
15 of the size involved, increase the plan’s
16 share of the total allowed costs of benefits
17 provided under the plan to 87 percent of
18 such costs; and

19 “(C) in the case of—

20 “(i) with respect to plan years begin-
21 ning before January 1, 2023, an eligible
22 insured whose household income is more
23 than 200 percent but not more than 250
24 percent of the poverty line for a family of
25 the size involved, increase the plan’s share

1 of the total allowed costs of benefits pro-
2 vided under the plan to 73 percent of such
3 costs; and

4 “(ii) with respect to plan years begin-
5 ning on or after January 1, 2023, an eligi-
6 ble insured whose household income is
7 more than 300 percent but not more than
8 400 percent of the poverty line for a family
9 of the size involved, increase the plan’s
10 share of the total allowed costs of benefits
11 provided under the plan to 85 percent of
12 such costs.”; and

13 (4) by adding at the end the following new sub-
14 section:

15 “(h) FUNDING.—Out of any funds in the Treasury
16 not otherwise appropriated, there are appropriated to the
17 Secretary such sums as may be necessary for payments
18 under this section.”.

19 (b) CONFORMING AMENDMENTS TO STATE BASIC
20 HEALTH PROGRAMS FOR CERTAIN LOW-INCOME INDIVID-
21 UALS.—Section 1331(a)(2) of the Patient Protection and
22 Affordable Care Act (42 U.S.C. 18051(a)(2)) is amend-
23 ed—

24 (1) in subparagraph (A)(i), by striking “the ap-
25 plicable second lowest cost silver plan (as defined in

1 section 36B(b)(3)(B) of the Internal Revenue Code
 2 of 1986)” and inserting “, with respect to plan years
 3 beginning before January 1, 2023, the applicable
 4 second lowest cost silver plan (as defined in section
 5 36B(b)(3)(B) of the Internal Revenue Code of 1986)
 6 and, with respect to plans years beginning on or
 7 after January 1, 2023, the applicable second lowest
 8 cost gold plan (as defined in such section)”;

9 (2) in the matter following subparagraph (B),
 10 by striking “or the applicable second lowest cost sil-
 11 ver plan” and inserting “or, with respect to plan
 12 years beginning before January 1, 2023, the applica-
 13 ble second lowest cost silver plan (or, with respect to
 14 plan years beginning on or after January 1, 2023,
 15 the applicable second lowest cost gold plan”.

16 **SEC. 3. PREMIUM ASSISTANCE CREDIT AMOUNT DETER-**
 17 **MINED USING APPLICABLE SECOND LOWEST**
 18 **COST GOLD PLAN.**

19 (a) IN GENERAL.—Section 36B of the Internal Rev-
 20 enue Code of 1986 is amended—

21 (1) by striking “silver” each place it appears
 22 and inserting “gold”; and

23 (2) in the header of subsection (b)(3)(B), by
 24 striking “SILVER” and inserting “GOLD”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 2022.

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