

117TH CONGRESS
2D SESSION

H. R. 7045

To eliminate the opt-out for nonfederal governmental health plans.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2022

Ms. PORTER (for herself and Mrs. DINGELL) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To eliminate the opt-out for nonfederal governmental health
plans.

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 “Closing Health Cov-
5 erage Gaps for Public Servants Act of 2022”.

6 **SEC. 2. ELIMINATING THE OPT-OUT FOR NONFEDERAL**
7 **GOVERNMENTAL HEALTH PLANS.**

8 Section 2722(a)(2) of the Public Health Service Act
9 (42 U.S.C. 300gg–21(a)(2)) is amended by adding at the
10 end the following new subparagraph:

11 “(F) SUNSET OF ELECTION OPTION.—

1 “(i) IN GENERAL.—Notwithstanding
2 the preceding provisions of this para-
3 graph—

4 “(I) no election described in sub-
5 paragraph (A) may be made on or
6 after the date of enactment of this
7 subparagraph; and

8 “(II) except as provided in clause
9 (ii), no such election expiring on or
10 after the date that is 180 days after
11 the date of such enactment may be re-
12 newed.

13 “(ii) EXCEPTION FOR CERTAIN COL-
14 LECTIVELY BARGAINED PLANS.—Notwith-
15 standing clause (i)(II), a plan described in
16 subparagraph (B)(ii) that is subject to
17 multiple agreements described in such sub-
18 paragraph of varying lengths and that has
19 an election in effect under subparagraph
20 (A) as of the date of enactment of this
21 subparagraph that expires on or after the
22 date that is 180 days after the date of
23 such enactment may extend such election

1 until the date on which the term of the last
2 such agreement expires.”.

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