

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.**

**H. R. 1628**

To provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CRUZ to the amendment (No. \_\_\_\_\_) proposed by \_\_\_\_\_

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . HEALTH INSURANCE COVERAGE OFFERED**

3 **ACROSS STATE LINES.**

4 Subpart I of part B of title XXVII of the Public

5 Health Service Act (42 U.S.C. 300gg–41 et seq.) is

6 amended by adding at the end the following:

7 **“SEC. 2746. HEALTH INSURANCE COVERAGE OFFERED**

8 **ACROSS STATE LINES.**

9 “(a) IN GENERAL.—A health insurance issuer that

10 is licensed in, and qualified to offer health insurance cov-

11 erage in, a primary State may offer such health insurance

1 coverage in a secondary State regardless of whether the  
2 issuer is licensed to sell insurance in such secondary State.  
3 In offering such health insurance coverage in the sec-  
4 ondary State, all laws governing health insurance coverage  
5 of the primary State shall apply and the laws governing  
6 health insurance coverage of the secondary State shall not  
7 apply.

8 “(b) DEFINITIONS.—For purposes of this section:

9 “(1) PRIMARY STATE.—The term ‘primary  
10 State’ means, with respect to health insurance cov-  
11 erage offered by a health insurance issuer, the State  
12 designated by the issuer as the State whose covered  
13 laws shall govern the health insurance issuer in the  
14 sale of such coverage under this title. An issuer,  
15 with respect to a particular policy, may designate  
16 only one such State as its primary State with re-  
17 spect to all such coverage it offers. Such an issuer  
18 may not change the designated primary State with  
19 respect to health insurance coverage once the policy  
20 is issued, except that such a change may be made  
21 upon renewal of the policy. With respect to such des-  
22 ignated State, the issuer is deemed to be doing busi-  
23 ness in that State.

24 “(2) SECONDARY STATE.—The term ‘secondary  
25 State’ means, with respect to health insurance cov-

1           erage offered by a health insurance issuer, any State  
2           that is not the primary State. In the case of a health  
3           insurance issuer that is selling a policy in, or to a  
4           resident of, a secondary State, the issuer is deemed  
5           to be doing business in that secondary State.

6           “(3) STATE.—The term ‘State’ means the 50  
7           States and includes the District of Columbia, Puerto  
8           Rico, the Virgin Islands, Guam, American Samoa,  
9           and the Northern Mariana Islands.”.