AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6301
OFFERED BY MR. BRADY OF TEXAS

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Promoting High-Value Health Care Through Flexibility for High Deductible Health Plans Act of 2018”.

SEC. 2. FIRST DOLLAR COVERAGE FLEXIBILITY FOR HIGH DEDUCTIBLE HEALTH PLANS.
(a) IN GENERAL.—Section 223(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) FIRST DOLLAR COVERAGE FLEXIBILITY.—

“(i) IN GENERAL.—A plan shall not fail to be treated as a high deductible health plan by reason of failing to have a deductible for not more than $250 of specified services for self-only coverage (twice such amount in the case of family coverage) during a plan year.
“(ii) SPECIFIED SERVICES.—For purposes of this subparagraph, the term ‘specified services’ means, with respect to a plan, services other than preventive care (within the meaning of subparagraph (C)) identified under the terms of the plan as being services to which clause (i) applies.”.

(b) INFLATION ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “and (e)(2)(A)” and inserting “, (e)(2)(A), and (e)(2)(E)”;

(2) in subparagraph (B)—

(A) by striking “such taxable year” in the matter preceding clause (i) and inserting “the taxable year (plan year in the case of the dollar amount in subsection (e)(2)(E))”, and

(B) by striking “clause (ii)” and inserting “clauses (ii) and (iii)” in clause (i), by striking “and” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, and”, and by inserting after clause (ii) the following new clause:

“(iii) in the case of the dollar amount in subsection (e)(2)(E) for plan years be-
ginging in calendar years after 2019, ‘cal-
endar year 2018’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years begin-
ing after December 31, 2018.