

*Susan Collins*

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

Purpose: To allow individuals 30 and over to enroll in the catastrophic plan if they are not eligible for premium tax credits and cost-sharing reductions through the Exchange.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

**H. R. 3590**

**AMENDMENT NO. 3118**

To: By Collins-others modify  
To: Amdt. No. 2786 bers  
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Ref: **Page(s)** nd

GPO: 2008 45-908 (masc)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. COLLINS (for herself ~~and~~ Mr. WYDEN, <sup>and Mr. Bayh</sup> to the amendment (No. 2786) proposed by Mr. REID

Viz:

- 1 On page 116, between lines 2 and 3, insert the fol-
- 2 lowing:
- 3 (3) SPECIAL RULE FOR INDIVIDUALS AGE 30
- 4 AND OVER NOT ELIGIBLE FOR EXCHANGE CREDITS
- 5 AND REDUCTIONS.—

1           (A) IN GENERAL.—Subject to subpara-  
2 graph (B), an individual who has attained at  
3 least the age of 30 before the beginning of a  
4 plan year shall be treated as an individual de-  
5 scribed in paragraph (2) if the individual is not  
6 eligible for the plan year for the premium tax  
7 credit under section 36B of the Internal Rev-  
8 enue Code of 1986 or the cost-sharing reduc-  
9 tions under section 1402 with respect to enroll-  
10 ment in a qualified health plan offered through  
11 an Exchange. The preceding sentence shall not  
12 apply to an individual if the individual is not el-  
13 igible for such credit or reductions because the  
14 individual is eligible to enroll in minimum es-  
15 sential coverage consisting of coverage under a  
16 government sponsored program described in  
17 section 5000A(f)(1)(A).

18           (B) REQUIREMENTS.—Subparagraph (A)  
19 shall only apply to an individual if the indi-  
20 vidual elects the application of this paragraph  
21 and such election provides that—

22                   (i) the individual acknowledges that  
23 coverage under the catastrophic plan is the  
24 lowest coverage available, that the plan  
25 provides no benefits for any plan year until

1           the individual has incurred cost-sharing ex-  
2           penses in an amount equal to the annual  
3           limitation in effect under subsection (e)(1)  
4           for the plan year (except as provided for in  
5           section 2713), and that these cost-sharing  
6           expenses could involve significant financial  
7           risk for the individual; and

8           (ii) the individual agrees that—

9                   (I) the individual will not change  
10                  such coverage until the next applicable  
11                  annual or special enrollment period  
12                  under section 1311(c)(5); and

13                   (II) if the individual elects to  
14                  change such coverage at the time of  
15                  such enrollment period, the individual  
16                  may only enroll in the bronze level of  
17                  coverage.

18           (4) STATE AUTHORITY.—In accordance with  
19           section 1321(d), a State may impose additional re-  
20           quirements or conditions for catastrophic plans de-  
21           scribed in this subsection to the extent such require-  
22           ments or conditions are not inconsistent with the re-  
23           quirements under this subsection.