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4-4-11
TE

Robert Menendez

AMENDMENT NO. _____ Calendar No. _____

Purpose: To protect small businesses from health insurance premium increases or losses of health insurance coverage.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

AMENDMENT N^o 284

To re	By <u>Menendez</u>	uire-
n	To: _____	ions,
a	<u>H.R. 4</u>	
Refe	<u>2</u>	and
	Page(s)	

GPO: 2010 69-070 (mac)

AMENDMENT intended to be proposed by Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER)

Viz:

1 On page 4, after line 3, insert the following:

2 (c) STUDY OF THE EFFECTS ON SMALL BUSINESSES

3 OF INCREASES IN THE AMOUNTS OF HEALTH CARE

4 CREDIT OVERPAYMENTS REQUIRED TO BE RECAP-

5 TURED.—

6 (1) IN GENERAL.—The Secretary of Health and

7 Human Services shall conduct a study to determine

8 if the amendments made by this section—

9 (A) will result in an increase in health in-

10 surance premiums within the Exchanges cre-

1 ated by the Patient Protection and Affordable
2 Care Act for employees or owners of small busi-
3 nesses; or

4 (B) will result in an increase in the num-
5 ber of individuals who do not have health insur-
6 ance coverage, a disproportionate share of
7 which are employees and owners of small busi-
8 nesses.

9 (2) EFFECT OF INCREASES.—If the Secretary
10 determines under paragraph (1) that there will be
11 an increase described in subparagraph (A) or (B), or
12 both, then, notwithstanding subsection (b), the
13 amendments made by this section shall not apply to
14 taxable years ending after the date of such deter-
15 mination and the Internal Revenue Code of 1986
16 shall be applied and administered to such taxable
17 years as if such amendments had never been en-
18 acted.