

AMENDMENT TO H.R. 1628
OFFERED BY MR. BIGGS OF ARIZONA

Add at the end of subtitle D of title I the following:

1 SEC. 138. OPTION FOR MAXIMUM STATE FLEXIBILITY.

2 The Patient Protection and Affordable Care Act is
3 amended by inserting after section 1332 (42 U.S.C.
4 18052) the following new section:

5 “SEC. 1332A. OPTION FOR MAXIMUM STATE FLEXIBILITY.

6 “(a) IN GENERAL.—If the chief executive officer of
7 a State provides to the Secretary a notice of intent, with
8 respect to health insurance coverage offered in the State
9 beginning for the plan year specified in such notice (but
10 not sooner than plan year 2019), to not apply to such
11 State and coverage all of the State opt out health provi-
12 sions described in subsection (b), beginning with such
13 specified plan year—

14 “(1) such State opt out health provisions shall
15 have no force or effect with respect to such State
16 and coverage; and

17 “(2) any Federal laws that had been amended
18 or repealed by such State opt out health provisions
19 shall, with respect to such State and coverage, be ef-
20 fective and applied as if this Act (other than this

1 section) and the American Health Care Act of 2017
2 (other than the amendment made by section 138 of
3 such Act) had not been enacted.

4 “(b) STATE OPT OUT HEALTH PROVISIONS DE-
5 SCRIBED.—The State opt out health provisions described
6 in this subsection are the provisions of this title (other
7 than this section), including amendments made by such
8 provisions, and the provisions of the American Health
9 Care Act of 2017 (other than section 138 of such Act),
10 including the amendments made by such provisions.”.

