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

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

SEC. 138. OPTION FOR MAXIMUM STATE FLEXIBILITY.

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

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

“(a) In general.—If the chief executive officer of a State provides to the Secretary a notice of intent, with respect to health insurance coverage offered in the State beginning for the plan year specified in such notice (but not sooner than plan year 2019), to not apply to such State and coverage all of the State opt out health provisions described in subsection (b), beginning with such specified plan year—

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

“(2) any Federal laws that had been amended or repealed by such State opt out health provisions shall, with respect to such State and coverage, be effective and applied as if this Act (other than this
section) and the American Health Care Act of 2017
(other than the amendment made by section 138 of
such Act) had not been enacted.

“(b) STATE OPT OUT HEALTH PROVISIONS DESCRIBED.—The State opt out health provisions described
in this subsection are the provisions of this title (other
than this section), including amendments made by such
provisions, and the provisions of the American Health
Care Act of 2017 (other than section 138 of such Act),
including the amendments made by such provisions.”.