

1 “(A) the standardized disclosure estab-
2 lished by the Secretary under paragraph (2);
3 and

4 “(B) a list of all medical conditions, in-
5 cluding both physical and mental health condi-
6 tions—

7 “(i) which may result in an individual
8 being denied the ability to enroll under
9 such insurance;

10 “(ii) for which such issuer may apply
11 a preexisting condition exclusion (as de-
12 fined in section 2704(b)(1)) with respect to
13 an enrollee under such insurance;

14 “(iii) which may result in an increase
15 in premium amounts for such an enrollee
16 compared to what such amounts would
17 have otherwise been for such enrollee ab-
18 sent such condition; or

19 “(iv) for which such issuer may termi-
20 nate coverage under such insurance with
21 respect to such an enrollee.

22 “(2) ESTABLISHMENT OF DISCLOSURE.—For
23 purposes of paragraph (1)(A), the Secretary shall es-
24 tablish a standardized disclosure with respect to
25 short-term limited duration insurance offered by a

1 health insurance issuer that includes the following
2 information:

3 “(A) A notification that such insurance
4 may not cover preexisting conditions of an en-
5 rollee, including past physical or mental health
6 conditions, regardless of whether such enrollee
7 was aware of such conditions or had sought
8 treatment for such conditions on or before the
9 date of enrollment in such insurance.

10 “(B) A notification that such issuer may
11 rescind coverage under such insurance if an en-
12 rollee seeks treatment for such a preexisting
13 condition, regardless of whether such enrollee
14 was aware of such condition or had sought
15 treatment for such condition on or before the
16 date of enrollment in such insurance.

17 “(C) A notification that such insurance
18 provides limited benefits compared to individual
19 health insurance coverage and does not include
20 all benefits required to be covered under the
21 Patient Protection and Affordable Care Act (in-
22 cluding the essential health benefits package (as
23 defined in section 1302(a) of such Act)) or
24 under this title.

1 “(D) A notification that coverage under
2 such insurance is temporary and may not cover
3 the costs of an enrollee for most hospital or
4 other medical items and services, including both
5 physical and mental health items and services.

6 “(E) A notification that an individual
7 should carefully review the benefits provided
8 under such insurance before enrolling in such
9 insurance.

10 “(F) A notification informing individuals
11 of the opportunity to purchase comprehensive
12 individual health insurance coverage through
13 Exchanges established under the Patient Pro-
14 tection and Affordable Care Act that provides
15 coverage for preexisting conditions without pre-
16 mium increases for such conditions and for
17 which such individuals may be eligible for finan-
18 cial assistance. Such notification shall include
19 information on how such individuals may access
20 such Exchanges.

21 “(b) LIMITATION ON ENROLLMENT PERIOD.—A
22 health insurance issuer offering short-term limited dura-
23 tion insurance may not enroll any individual in such insur-
24 ance during any annual open enrollment period applicable
25 to such individual with respect to an Exchange.”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) ENFORCEMENT.—Section 2723 of the Pub-
3 lic Health Service Act (42 U.S.C. 300gg–22) is
4 amended—

5 (A) in subsection (a)—

6 (i) in paragraph (1), by inserting “, or
7 short-term limited duration insurance in
8 the State,” after “group market”; and

9 (ii) in paragraph (2), by inserting
10 “(or, in the case of such a failure with re-
11 spect to section 2730, in connection with
12 short-term limited duration insurance)”
13 after “individual health insurance cov-
14 erage”; and

15 (B) in subsection (b)(1)(B), by inserting “,
16 short-term limited duration insurance,” after
17 “individual health insurance coverage”.

18 (2) PREEMPTION.—Section 2724(a)(1) of such
19 Act (42 U.S.C. 300gg–23(a)(1)) is amended by in-
20 serting “or short-term limited duration insurance”
21 after “group health insurance coverage”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to marketing, applica-
24 tion, and enrollment materials distributed in connection
25 with short-term limited duration insurance on or after

1 September 1, 2019, and with respect to enrollments in
2 such insurance during annual open enrollment periods be-
3 ginning on or after the date of the enactment of this Act.

