

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**59**

**OFFERED BY MR. SCHNEIDER OF ILLINOIS**

At the end, add the following:

1 **SEC. 11. HIGH DEDUCTIBLE HEALTH PLAN SAFE HARBOR**  
2 **FOR NO DEDUCTIBLE FOR CERTAIN PRIMARY**  
3 **CARE SERVICES PROVIDED DURING THE**  
4 **COVID EMERGENCY.**

5 (a) IN GENERAL.—Paragraph (2) of section 223(c)  
6 of the Internal Revenue Code of 1986 is amended by add-  
7 ing at the end the following new subparagraph:

8 “(G) SAFE HARBOR FOR ABSENCE OF DE-  
9 DUCTIBLE FOR CERTAIN PRIMARY CARE SERV-  
10 ICES PROVIDED DURING THE COVID EMER-  
11 GENCY.—

12 “(i) IN GENERAL.—A plan shall not  
13 fail to be treated as a high deductible  
14 health plan by reason of failing to have a  
15 deductible for primary care services pro-  
16 vided by a qualified provider in any plan  
17 year beginning on or before January 1,  
18 2025.

1           “(ii) PRIMARY CARE SERVICES.—For  
2           purposes of clause (i), the term ‘primary  
3           care services’ means services provided by  
4           primary care practitioners (as defined in  
5           section 1833(x)(2)(A)) of the Social Secu-  
6           rity Act.

7           “(iii) QUALIFIED PROVIDER.—For  
8           purposes of clause (i), the term ‘qualified  
9           provider’ means a general practitioner,  
10          family physician, general internist, obste-  
11          trician, gynecologist, pediatrician, geriatric  
12          physician, advanced practice registered  
13          nurse, or physician assistant acting in ac-  
14          cordance with State laws.”.

15          (b) EFFECTIVE DATE.—The amendment made by  
16          this section shall apply to periods after the date of the  
17          enactment of this Act, in plan years ending after such  
18          date.

19          **SEC. 12. STUDY AND REPORTS RELATED TO SAFE HARBOR.**

20          (a) STUDY.—The Comptroller General of the United  
21          States shall complete a study on the effects of the safe  
22          harbor for certain primary care services provided during  
23          the COVID emergency under section 223(e)(2)(G) of the  
24          Internal Revenue Code of 1986 (as added by section 11).

25          (b) REPORTS.—

1           (1) INTERIM REPORT.—Not later than 365  
2           days after the date of the enactment of this Act, the  
3           Comptroller General of the United States shall pro-  
4           vide a report to Congress containing an analysis of  
5           the results of the study under subsection (a). Such  
6           report shall contain—

7                   (A) an analysis of the effects of the safe  
8           harbor on—

9                           (i) whether plan sponsors opted to in-  
10                          corporate changes to their benefit design;

11                           (ii) insurance premiums;

12                           (iii) enrollment in high deductible  
13                          health plans;

14                           (iv) utilization of primary care visits,  
15                          telehealth visits, emergency department  
16                          visits, and hospital admissions; and

17                           (v) the rate of employer implementa-  
18                          tion of flexibilities in changes to benefit de-  
19                          sign; and

20                          (B) comparisons of patient engagement  
21                          with services for those whose employer incor-  
22                          porated flexibilities into their benefit design and  
23                          those who did not do so.

24           (2) FINAL REPORT.—Not later than 365 days  
25           after the interim report under paragraph (1) is

1 issued, the Comptroller General of the United States  
2 shall provide a final report to Congress containing a  
3 comprehensive analysis of the results of the study  
4 under subsection (a). Such report shall include up-  
5 dated findings, analyses, and comparisons described  
6 in paragraph (1).

