

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. WALBERG OF MICHIGAN

Add at the end the following new section:

1 **SEC. 11. TREATING BENEFITS FOR TELEHEALTH SERVICES**
2 **OFFERED UNDER A GROUP HEALTH PLAN OR**
3 **GROUP HEALTH INSURANCE COVERAGE AS**
4 **EXCEPTED BENEFITS.**

5 (a) PHSA.—

6 (1) IN GENERAL.—Section 2791(c)(2) of the
7 Public Health Service Act (42 U.S.C. 300gg–
8 91(c)(2)) is amended—

9 (A) by redesignating subparagraph (C) as
10 subparagraph (D); and

11 (B) by inserting after subparagraph (B)
12 the following new subparagraph:

13 “(C) BENEFITS FOR TELEHEALTH SERV-
14 ICES.—”.

15 (2) LIMITATION ON EXCEPTION TO GROUP
16 HEALTH PLANS AND GROUP HEALTH INSURANCE
17 COVERAGE.—Section 2722(c)(1) of the Public
18 Health Service Act (42 U.S.C. 300gg–21(c)(1)) is
19 amended—

1 (A) by redesignating subparagraphs (A)
2 and (B) as clauses (i) and (ii), respectively, and
3 adjusting the margins accordingly;

4 (B) by striking “The requirements” and
5 inserting the following:

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B), the requirements”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(B) APPLICATION OF PROVISIONS IN THE
11 CASE OF INDIVIDUAL HEALTH INSURANCE COV-
12 ERAGE FOR CERTAIN EXCEPTED BENEFITS.—
13 The requirements of subparts I and II shall
14 apply to any individual health insurance cov-
15 erage in relation to its provision of excepted
16 benefits described in section 2791(c)(2)(C).”.

17 (b) ERISA.—Section 733(c)(2) of the Employee Re-
18 tirement Income Security Act of 1974 (29 U.S.C.
19 1191b(c)(2)) is amended—

20 (1) by redesignating subparagraph (C) as sub-
21 paragraph (D); and

22 (2) by inserting after subparagraph (B) the fol-
23 lowing new subparagraph:

24 “(C) Benefits for telehealth services.”.

1 (c) IRC.—Section 9832(c)(2) of the Internal Revenue
2 Code of 1986 is amended—

3 (1) by redesignating subparagraph (C) as sub-
4 paragraph (D); and

5 (2) by inserting after subparagraph (B) the fol-
6 lowing new subparagraph:

7 “(C) Benefits for telehealth services.”.

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall apply with respect to plan years begin-
10 ning on or after the date of the enactment of this Act.

