

## MOTION TO RECOMMIT H.R. 986

M\_\_\_\_. \_\_\_\_\_ moves to recommit the bill H.R. 986 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendments:

Page 3, strike lines 3 through 5, and insert the following:

1 **SECTION 1. FINDINGS.**

2 Congress finds the following:

3 (1) On October 24, 2018, the Administration  
4 published new guidance to carry out section 1332 of  
5 the Patient Protection and Affordable Care Act (42  
6 U.S.C. 18052) entitled “State Relief and Empower-  
7 ment Waivers” (83 Fed. Reg. 53575).

8 (2) The new guidance does not amend such sec-  
9 tion 1332 and does not permit the Secretary of  
10 Health and Human Services to waive protections for  
11 individuals with preexisting conditions, including  
12 guaranteed availability and renewability of health in-  
13 surance, the prohibition on using health status to  
14 vary premiums, and the prohibition on preexisting  
15 conditions exclusions.

1           (3) Moreover, this guidance stipulates that any  
2           section 1332 waiver will need to carefully account  
3           for any impact on the individual market risk pool  
4           and guarantee that access to coverage is at least as  
5           comprehensive and affordable as would exist without  
6           the waiver.

Page 3, line 17, insert before the period the following: “, including if such substantially similar guidance or rule would allow a State to waive such requirements as guaranteed availability and renewability of health insurance, the prohibition on using health status to vary premiums, or the prohibition on preexisting conditions exclusions”.

