H. R. ______

To provide that certain rules and guidance related to waivers for State innovation under the Patient Protection and Affordable Care Act shall have no force or effect.

IN THE HOUSE OF REPRESENTATIVES

Ms. Kuster of New Hampshire introduced the following bill; which was referred to the Committee on ______________________

A BILL

To provide that certain rules and guidance related to waivers for State innovation under the Patient Protection and Affordable Care Act shall have no force or effect.

1. Be it enacted by the Senate and House of Representa-
2. tives of the United States of America in Congress assembled,
3. SECTION 1. SHORT TITLE.
4. This Act may be cited as the “Protecting Americans
5. with Pre-existing Conditions Act of 2021”.

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SEC. 2. PROVIDING THAT CERTAIN RULES AND GUIDANCE RELATED TO WAIVERS FOR STATE INNOVATION UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT SHALL HAVE NO FORCE OR EFFECT.

(a) IN GENERAL.—The Secretary of Health and Human Services and the Secretary of the Treasury may not take any action to implement, enforce, or otherwise give effect to the rules and guidance described in subsection (b), and no such rules and guidance shall have any force or effect.

(b) RULES AND GUIDANCE.—The rules and guidance described in this subsection are the following:

(1) The provisions in the final rule issued by the Secretary of Health and Human Services and the Secretary of the Treasury on January 19, 2021, relating to “Updates to State Innovation Waiver (Section 1332 Waiver) Implementing Regulations” (86 Fed. Reg. 6138).

(2) The guidance issued by such Secretaries entitled “State Relief and Empowerment Waivers” (83 Fed. Reg. 53575 (October 24, 2018)), or any other rule promulgated to give effect to such guidance.