

116TH CONGRESS  
1ST SESSION

# S. 1378

To repeal the multi-State plan program.

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## IN THE SENATE OF THE UNITED STATES

MAY 8, 2019

Mr. JOHNSON (for himself, Mr. BARRASSO, Mr. BRAUN, Mr. WICKER, Mr. LEE, Mr. ALEXANDER, Mr. ENZI, Mr. CRAMER, and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To repeal the multi-State plan program.

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 “Repeal Insurance  
5 Plans of the Multi-State Program Act of 2019” or the  
6 “RIP MSP Act”.

7 **SEC. 2. REPEAL OF MULTI-STATE PLAN PROGRAM.**

8 (a) DEFINITIONS.—In this section, the terms “multi-  
9 State plan issuer” and “MSP issuer” mean a health insur-  
10 ance issuer or group of health insurance issuers that has  
11 a contract with the Office of Personnel Management to

1 offer multi-State plan options pursuant to section 1334  
2 of the Patient Protection and Affordable Care Act (Public  
3 Law 111–148).

4 (b) PROGRAM REPEAL.—Effective January 1, 2020,  
5 section 1334 of the Patient Protection and Affordable  
6 Care Act (Public Law 111–148) shall have no force or  
7 effect.

8 (c) REQUIRED REPORTING.—Not later than 60 days  
9 after the date of enactment of this Act, the Director of  
10 the Office of Personnel Management shall provide the  
11 Committee on Homeland Security and Governmental Af-  
12 fairs of the Senate and the Committee on Oversight and  
13 Reform of the House of Representatives a briefing con-  
14 cerning the efforts of the Office of Personnel Management  
15 (referred to in this section as “OPM”) to wind down the  
16 multi-State program under section 1334 of the Patient  
17 Protection and Affordable Care Act. Such briefing shall  
18 contain such information as may be required, including  
19 information regarding—

20 (1) the methods of communication OPM and an  
21 MSP issuer will use to notify current enrollees that  
22 the multi-State plan will not be offered during the  
23 next open season, including a timeline of the planned  
24 communications;

1           (2) a description of how the Director of OPM  
2           will work with the Secretary of Health and Human  
3           Services to ensure that no plans previously offered  
4           pursuant to such section 1334 are offered on State  
5           or Federal Exchanges; and

6           (3) a timeline detailing how OPM will close  
7           down the information technology portal that MSP  
8           issuers utilize.

9           (d) RESCISSION OF UNUSED FUNDS.—Of the  
10          amounts made available to OPM for the purposes of staff-  
11          ing and administering the program under section 1334 of  
12          the Patient Protection and Affordable Care Act, the unob-  
13          ligated balance is rescinded, effective January 1, 2020.

14          (e) SENSE OF CONGRESS.—It is the sense of Con-  
15          gress that—

16               (1) the Director of the Office of Personnel  
17               Management should assign employees of the Office  
18               whose duties on the date of enactment relate to car-  
19               rying out section 1334 of the Patient Protection and  
20               Affordable Care Act (Public Law 111–148) to duties  
21               relating to processing appeals brought by individuals  
22               or employers pursuant to such section 1334; and

- 1           (2) no additional amounts should be appro-
- 2       priated for salaries and expenses relating to proc-
- 3       essing such appeals.

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