

115TH CONGRESS  
1ST SESSION

# H. R. 499

To require members of Congress and congressional staff to abide by the Patient Protection and Affordable Care Act with respect to health insurance coverage, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Mr. DESANTIS introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require members of Congress and congressional staff to abide by the Patient Protection and Affordable Care Act with respect to health insurance coverage, and for other purposes.

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 “No Exemption for  
5 Washington from Obamacare Act”.

1 **SEC. 2. HEALTH INSURANCE COVERAGE FOR CERTAIN**  
2 **CONGRESSIONAL STAFF AND MEMBERS OF**  
3 **THE EXECUTIVE BRANCH.**

4 Section 1312(d)(3)(D) of the Patient Protection and  
5 Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is  
6 amended—

7 (1) by striking the subparagraph heading and  
8 inserting the following:

9 “(D) MEMBERS OF CONGRESS, CONGRES-  
10 SIONAL STAFF, AND POLITICAL APPOINTEES IN  
11 THE EXCHANGE.—”;

12 (2) in clause (i), in the matter preceding sub-  
13 clause (I)—

14 (A) by striking “and congressional staff  
15 with” and inserting “, congressional staff, the  
16 President, the Vice President, and political ap-  
17 pointees with”; and

18 (B) by striking “or congressional staff  
19 shall” and inserting “, congressional staff, the  
20 President, the Vice President, or a political ap-  
21 pointee shall”;

22 (3) in clause (ii)—

23 (A) in subclause (II), by inserting after  
24 “Congress,” the following: “of a committee of  
25 Congress, or of a leadership office of Con-  
26 gress,”; and

(B) by adding at the end the following:

“(III) POLITICAL APPOINTEE.—

The term ‘political appointee’ means any individual who—

“(aa) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(bb) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(cc) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”; and

(4) by adding at the end the following:

1 “(iii) GOVERNMENT CONTRIBUTION.—

2 No Government contribution under section  
3 8906 of title 5, United States Code, shall  
4 be provided on behalf of an individual who  
5 is a Member of Congress, a congressional  
6 staff member, the President, the Vice  
7 President, or a political appointee for cov-  
8 erage under this paragraph.

9 “(iv) LIMITATION ON AMOUNT OF TAX  
10 CREDIT OR COST-SHARING.—An individual  
11 enrolling in health insurance coverage pur-  
12 suant to this paragraph shall not be eligi-  
13 ble to receive a tax credit under section  
14 36B of the Internal Revenue Code of 1986  
15 or reduced cost sharing under section 1402  
16 of this Act in an amount that exceeds the  
17 total amount for which a similarly situated  
18 individual (who is not so enrolled) would be  
19 entitled to receive under such sections.

20 “(v) LIMITATION ON DISCRETION FOR  
21 DESIGNATION OF STAFF.—Notwith-  
22 standing any other provision of law, a  
23 Member of Congress shall not have discre-  
24 tion in determinations with respect to  
25 which employees employed by the office of

1 such Member are eligible to enroll for cov-  
2 erage through an Exchange.

3 “(vi) CLARIFICATION.—The terms  
4 small employer (as defined under section  
5 1304(b)(2)) and qualified employers (as  
6 defined under subsection (f)) do not in-  
7 clude the Congress, with respect to enroll-  
8 ments in an Exchange and a SHOP Ex-  
9 change.”.

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