

116TH CONGRESS  
2D SESSION

# H. R. 5809

To amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to require group health plans and health insurance issuers to include certain information on any health insurance membership card issued by such plan or issuer.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2020

Mr. BEYER (for himself and Mr. KELLY of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, 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

---

## A BILL

To amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to require group health plans and health insurance issuers to include certain information on any health insurance membership card issued by such plan or issuer.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Better Information Act  
3 of 2020”.

4 **SEC. 2. INFORMATION REQUIRED TO BE INCLUDED ON**  
5 **HEALTH INSURANCE MEMBERSHIP CARDS.**

6       (a) PUBLIC HEALTH SERVICE ACT.—Subpart II of  
7 part A of title XXVII of the Public Health Service Act  
8 (42 U.S.C. 300gg–11 et seq.) is amended by adding at  
9 the end the following new section:

10 **“SEC. 2730. INFORMATION REQUIRED TO BE INCLUDED ON**  
11 **HEALTH INSURANCE MEMBERSHIP CARDS.**

12       “In the case of a group health plan or health insur-  
13 ance issuer offering group or individual health insurance  
14 coverage that provides a physical or electronic card indi-  
15 cating membership in such plan or coverage to an indi-  
16 vidual enrolled under such plan or coverage, such group  
17 health plan or issuer shall include on such card each of  
18 the following:

19               “(1) The nearest hospital to the primary resi-  
20 dence of such individual that has in effect a contrac-  
21 tual relationship with such plan or coverage for fur-  
22 nishing items and services under such plan or cov-  
23 erage.

24               “(2) A telephone number or Internet website  
25 address through which such individual may seek con-  
26 sumer assistance information, such as information

1 related to hospitals and urgent care facilities that  
 2 have in effect a contractual relationship with such  
 3 plan or coverage for furnishing items and services  
 4 under such plan or coverage.

5 “(3) Any deductible applicable to such indi-  
 6 vidual.

7 “(4) Any out-of-pocket maximum applicable to  
 8 such individual.

9 “(5) Any cost-sharing obligation applicable to  
 10 such individual for a visit at an emergency depart-  
 11 ment, or urgent care facility, that has in effect a  
 12 contractual relationship with such plan or coverage  
 13 for furnishing items and services under such plan or  
 14 coverage.”.

15 (b) INTERNAL REVENUE CODE.—

16 (1) IN GENERAL.—Subchapter B of chapter  
 17 100 of the Internal Revenue Code of 1986 is amend-  
 18 ed by adding at the end the following new section:

19 **“SEC. 9816. INFORMATION REQUIRED TO BE INCLUDED ON**  
 20 **HEALTH INSURANCE MEMBERSHIP CARDS.**

21 “In the case of a group health plan that provides a  
 22 physical or electronic card indicating membership in such  
 23 plan to an individual enrolled under such plan, such group  
 24 health plan shall include on such card each of the fol-  
 25 lowing:

1           “(1) The nearest hospital to the primary resi-  
2           dence of such individual that has in effect a contrac-  
3           tual relationship with such plan for furnishing items  
4           and services under such plan.

5           “(2) A telephone number or Internet website  
6           address through which such individual may seek con-  
7           sumer assistance information, such as information  
8           related to hospitals and urgent care facilities that  
9           have in effect a contractual relationship with such  
10          plan for furnishing items and services under such  
11          plan.

12          “(3) Any deductible applicable to such indi-  
13          vidual.

14          “(4) Any out-of-pocket maximum applicable to  
15          such individual.

16          “(5) Any cost-sharing obligation applicable to  
17          such individual for a visit at an emergency depart-  
18          ment, or urgent care facility, that has in effect a  
19          contractual relationship with such plan for fur-  
20          nishing items and services under such plan.”.

21               (2) NONAPPLICATION OF INCORPORATION PRO-  
22               VISIONS.—Section 9815(a) of the Internal Revenue  
23               Code of 1986 is amended—

24                       (A) in paragraph (1), by striking “(as  
25                       amended by the Patient Protection and Afford-

1           able Care Act)” and inserting “(other than the  
2           provisions of section 2730 of the Public Health  
3           Service Act)”;

4                       (B) in paragraph (2), by inserting “(other  
5           than the provisions of section 2730 of the Pub-  
6           lic Health Service Act)” after “a provision of  
7           such part A”.

8           (3) CLERICAL AMENDMENT.—The table of sec-  
9           tions for such subchapter is amended by adding at  
10          the end the following new item:

“Sec. 9816. Information required to be included on health insurance member-  
ship cards.”.

11          (c) EMPLOYEE RETIREMENT INCOME SECURITY  
12          ACT.—

13                       (1) IN GENERAL.—Subpart B of part 7 of sub-  
14          title B of title I of the Employee Retirement Income  
15          Security Act of 1974 (29 U.S.C. 1185 et seq.) is  
16          amended by adding at the end the following new sec-  
17          tion:

18          **“SEC. 716. INFORMATION REQUIRED TO BE INCLUDED ON**  
19                       **HEALTH INSURANCE MEMBERSHIP CARDS.**

20                       “In the case of a group health plan or health insur-  
21          ance issuer offering group health insurance coverage that  
22          provides a physical or electronic card indicating member-  
23          ship in such plan or coverage to an individual enrolled

1 under such plan or coverage, such group health plan or  
2 issuer shall include on such card each of the following:

3 “(1) The nearest hospital to the primary resi-  
4 dence of such individual that has in effect a contrac-  
5 tual relationship with such plan or coverage for fur-  
6 nishing items and services under such plan or cov-  
7 erage.

8 “(2) A telephone number or Internet website  
9 address through which such individual may seek con-  
10 sumer assistance information, such as information  
11 related to hospitals and urgent care facilities that  
12 have in effect a contractual relationship with such  
13 plan or coverage for furnishing items and services  
14 under such plan or coverage.

15 “(3) Any deductible applicable to such indi-  
16 vidual.

17 “(4) Any out-of-pocket maximum applicable to  
18 such individual.

19 “(5) Any cost-sharing obligation applicable to  
20 such individual for a visit at an emergency depart-  
21 ment, or urgent care facility, that has in effect a  
22 contractual relationship with such plan or coverage  
23 for furnishing items and services under such plan or  
24 coverage.”.

1           (2) NONAPPLICATION OF INCORPORATION PRO-  
 2           VISIONS.—Section 715(a) of the Employee Retire-  
 3           ment Income Security Act of 1974 (29 U.S.C.  
 4           1185d(a)) is amended—

5                   (A) in paragraph (1), by striking “(as  
 6                   amended by the Patient Protection and Afford-  
 7                   able Care Act)” and inserting “(other than the  
 8                   provisions of section 2730 of the Public Health  
 9                   Service Act)”; and

10                   (B) in paragraph (2), by inserting “(other  
 11                   than the provisions of section 2730 of the Pub-  
 12                   lic Health Service Act)” after “a provision of  
 13                   such part A”.

14           (3) CLERICAL AMENDMENT.—The table of con-  
 15           tents in section 1 of the Employee Retirement In-  
 16           come Security Act of 1974 is amended by inserting  
 17           after the item relating to section 714 the following  
 18           new items:

“Sec. 715. Additional market reforms.

“Sec. 716. Information required to be included on health insurance membership  
 cards.”.

