

.....
(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R.

To amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, 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 “Healthy Maternity and
5 Obstetric Medicine Act” or the “Healthy MOM Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Pregnancy is a significant life event for mil-
2 lions of women in the United States each year.

3 (2) For more than 30 years, our Nation,
4 through the Medicaid program, has recognized that
5 pregnant women need immediate access to afford-
6 able care, and has allowed women who meet income-
7 eligibility requirements to enroll in Medicaid cov-
8 erage when they become pregnant.

9 (3) Congress recognized the central importance
10 of maternity coverage by classifying maternity and
11 newborn care as one of the ten essential health bene-
12 fits that must now be covered on most individual
13 and small group health insurance plans under sec-
14 tion 1302(b)(1) of the Patient Protection and Af-
15 fordable Care Act (42 U.S.C. 18022(b)(1)).

16 (4) Access to comprehensive maternity coverage
17 allows women to access important pregnancy-related
18 care, which is demonstrated to improve health out-
19 comes for women and newborns and reduce financial
20 costs for both consumers and insurers.

21 (5) Uninsured women, women with grand-
22 fathered and transitional health plans, self-funded
23 student health plans, and catastrophic and high-de-
24 ductible health plans may lack access to comprehen-
25 sive and affordable maternity coverage.

1 (6) A special enrollment period is especially im-
2 portant for young adults, who are at high risk for
3 unintended pregnancies, yet young adults are fre-
4 quently enrolled in catastrophic coverage, which
5 often has fewer benefits, more restrictions, and high-
6 er deductibles.

7 (7) Timely maternity care improves the health
8 of pregnant women, as well as birth outcomes and
9 the health of babies throughout their lifetimes. Preg-
10 nancy-related maternal mortality is three to four
11 times higher among women who receive no maternity
12 care compared to women who do. Regular maternity
13 care can detect or mitigate serious pregnancy-related
14 health complications, including preeclampsia, pla-
15 cental abruption, complications from diabetes, com-
16 plications from heart disease, and Graves' disease,
17 all of which can result in morbidity or mortality for
18 the mother or newborn.

19 (8) Regular maternity care can reduce preterm
20 births and the health complications associated with
21 preterm births.

22 (9) Timely maternity care can reduce short-
23 and long-term health care costs. If a woman does
24 not have access to affordable maternity care during
25 her pregnancy, and she or her newborn experiences

1 pregnancy complications that result in health prob-
2 lems after birth, their insurer may end up paying
3 much higher costs than if the insurer had covered
4 the woman's maternity care during her pregnancy.
5 Intensive maternity care can reduce hospital and
6 neonatal intensive care unit admissions among in-
7 fants, resulting in cost savings of \$1,768 to \$5,560
8 per birth. For women with high-risk pregnancies, in-
9 tensive maternity care saves \$1.37 for every \$1 in-
10 vested in maternity care.

11 (b) PURPOSE.—The purpose of this Act is to protect
12 the health of women and newborns by ensuring that all
13 women eligible for coverage through the Exchanges estab-
14 lished under title I of the Patient Protection and Afford-
15 able Care Act (Public Law 111–148) can access affordable
16 health coverage during their pregnancy.

17 **SEC. 3. PROVIDING FOR A SPECIAL ENROLLMENT PERIOD**
18 **FOR PREGNANT WOMEN.**

19 (a) PUBLIC HEALTH SERVICE ACT.—Section
20 2702(b)(2) of the Public Health Service Act (42 U.S.C.
21 300gg–1(b)(2)) is amended by inserting “including a spe-
22 cial enrollment period for pregnant women, beginning on
23 the date on which the pregnancy is reported to the health
24 insurance issuer” before the period at the end.

1 (b) PATIENT PROTECTION AND AFFORDABLE CARE
2 ACT.—Section 1311(c)(6) of the Patient Protection and
3 Affordable Care Act (42 U.S.C. 18031(c)(6)) is amend-
4 ed—

5 (1) in subparagraph (C), by striking “and” at
6 the end;

7 (2) by redesignating subparagraph (D) as sub-
8 paragraph (E); and

9 (3) by inserting after subparagraph (C) the fol-
10 lowing new subparagraph:

11 “(D) a special enrollment period for preg-
12 nant women, beginning on the date on which
13 the pregnancy is reported to the Exchange;
14 and”.

15 (c) SPECIAL ENROLLMENT PERIODS.—Section
16 9801(f) of the Internal Revenue Code of 1986 (26 U.S.C.
17 9801(f)) is amended by adding at the end the following
18 new paragraph:

19 “(4) FOR PREGNANT WOMEN.—

20 “(A) A group health plan shall permit an
21 employee who is eligible, but not enrolled, for
22 coverage under the terms of the plan (or a de-
23 pendent of such an employee if the dependent
24 is eligible, but not enrolled, for coverage under
25 such terms) to enroll for coverage under the

1 terms of the plan upon pregnancy, with the spe-
2 cial enrollment period beginning on the date on
3 which the pregnancy is reported to the group
4 health plan.

5 “(B) The Secretary shall promulgate regu-
6 lations with respect to the special enrollment
7 period under subparagraph (A), including es-
8 tablishing a time period for pregnant women to
9 enroll in coverage and effective date of such
10 coverage.”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall apply with respect to plan years begin-
13 ning after the **【2016】** plan year.

14 **SEC. 4. FEDERAL EMPLOYEE HEALTH BENEFIT PLANS.**

15 (a) IN GENERAL.—The Director of the Office of Per-
16 sonnel Management shall issue such regulations as are
17 necessary to ensure that pregnancy is considered a change
18 in family status and a qualifying life event for an indi-
19 vidual who is eligible to enroll, but is not enrolled, in a
20 health benefit plan under chapter 89 title 5, United States
21 Code.

22 (b) EFFECTIVE DATE.—The requirement in sub-
23 section (a) shall apply with respect to any contract entered
24 into under section 8902 of such title beginning 12 months
25 after the date of enactment of this Act.