

113TH CONGRESS
1ST SESSION

H. R. 3607

To enable States to opt out of certain provisions of the Patient Protection
and Affordable Care Act.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2013

Mr. MULVANEY (for himself and Mr. GOWDY) introduced the following bill;
which was referred to the Committee on Energy and Commerce, and in
addition to the Committee on Ways and Means, for a period to be subse-
quently determined by the Speaker, in each case for consideration of such
provisions as fall within the jurisdiction of the committee concerned

A BILL

To enable States to opt out of certain provisions of the
Patient Protection and Affordable Care Act.

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 “State Health Care
5 Choice Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to protect States’ rights
8 and to ensure that States have the option to continue to
9 implement State laws relating to health care delivery and

1 health insurance that were in effect prior to the date of
2 enactment of the Patient Protection and Affordable Care
3 Act (Public Law 111–148).

4 **SEC. 3. PROTECTION OF STATE FLEXIBILITY TO PROVIDE**
5 **HEALTH COVERAGE.**

6 (a) STATE OPT OUT OF CERTAIN PROVISIONS OF
7 PPACA.—

8 (1) IN GENERAL.—A State described in sub-
9 section (b) may elect to limit the application of any
10 or all of the provisions of the Patient Protection and
11 Affordable Care Act (Public Law 111–148) de-
12 scribed in paragraph (2) with respect to health in-
13 surance coverage within that State.

14 (2) PROVISIONS DESCRIBED.—The provisions of
15 the Patient Protection and Affordable Care Act de-
16 scribed in this paragraph are as follows:

17 (A) Subtitles A through C of title I (and
18 the amendments made by such subtitles), ex-
19 cept for sections 1253 and 1254.

20 (B) Parts I, II, III, and V of subtitle D of
21 title I (and the amendments made by such
22 parts).

23 (C) Part I of subtitle E of title I (and the
24 amendments made by such part).

1 (D) Subtitle F of title I (and the amend-
2 ments made by such part).

3 (E) Section 1561 (and the amendment
4 made by such section).

5 (F) Sections 10101 through 10107 (and
6 the amendments made by such sections).

7 (b) STATE DESCRIBED.—

8 (1) ENACTMENT OF STATE LAW.—A State de-
9 scribed in this subsection is a State that enacts a
10 law after the date of enactment of this Act that—

11 (A) expresses the intent of the State to opt
12 out of one or more of the provisions of the Pa-
13 tient Protection and Affordable Care Act (Pub-
14 lic Law 111–148) described in subsection (a);

15 (B) contains a list of the provisions of such
16 Act which will not apply to the State under the
17 State law; and

18 (C) expresses the intent of the State to
19 continue to administer health coverage-related
20 laws as in effect in the State on March 23,
21 2010, or that provides for the implementation
22 of related State laws enacted after such date.

23 (2) REPEAL.—If a State repeals a law de-
24 scribed in paragraph (1), the provisions of the Pa-
25 tient Protection and Affordable Care Act listed in

1 such law shall apply with respect to such State be-
2 ginning on the date of such repeal.

3 (c) REGULATIONS.—The Secretary of Health and
4 Human Services, in consultation with the Secretary of the
5 Treasury, shall promulgate regulations to provide for the
6 implementation of this Act.

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