

*Amendment to the Amendment  
in the Nature of a Substitute*

**TO H.R. 1101**

**OFFERED BY MR. POLIS OF COLORADO**

Add at the end of the bill the following:

1 **SEC. 7. TRANSPARENCY IN ALL HEALTH CARE PRICING.**

2 (a) **IN GENERAL.**—Any and all individuals or busi-  
3 ness entities, including hospitals, physicians, nurses, phar-  
4 macies, pharmaceutical manufacturers, dentists, and the  
5 insurance entities described in subsection (d), and any  
6 other health care related providers or issuers that offer  
7 or furnish health care related items, products, services, or  
8 procedures (as defined by the Secretary of Health and  
9 Human Services) for sale to the public shall publicly dis-  
10 close, on a continuous basis, all prices for such items,  
11 products, services, or procedures in accordance with this  
12 section.

13 (b) **MANNER OF DISCLOSURE.**—The disclosure re-  
14 quired under subsection (a) shall—

15 (1) be made in an open and conspicuous man-  
16 ner;

17 (2) be made available at the point of purchase,  
18 in print, and on the Internet; and

19 (3) include all wholesale, retail, subsidized, dis-  
20 counted, or other such prices the individuals or busi-

1       ness entities described in such subsection accept as  
2       payment in full for items, products, services, or pro-  
3       cedures such individuals or business entities furnish  
4       to individual consumers.

5       (c) PENALTIES.—The Secretary of Health and  
6 Human Services may investigate any and all individuals  
7 or business entities that fail to comply with the require-  
8 ments of this section and may impose on such individuals  
9 or business entities civil fines, or other civil penalties, as  
10 determined appropriate by the Secretary.

11       (d) INSURANCE ENTITY DESCRIBED.—For purposes  
12 of this section, an insurance entity includes a health insur-  
13 ance issuer with respect to the offering of health insurance  
14 coverage, including in the individual market and small and  
15 large group market (as such terms are defined in section  
16 2791 of the Public Health Service Act), a plan sponsor  
17 with respect to the offering of a group health plan (as  
18 defined in such section 2791), and entities responsible for  
19 the administration of governmental health plans (includ-  
20 ing the Centers for Medicare & Medicaid Services with re-  
21 spect to the Medicare program under title XVIII of the  
22 Social Security Act, State agencies responsible for admin-  
23 istration of State plans under the Medicaid program under  
24 title XIX of such Act, or State child assistance plans  
25 under the State Children’s Health Insurance Program

1 under title XXI of such Act, and the Office of Personnel  
2 Management with respect to the Federal Employees  
3 Health Benefits Program under chapter 89 of title 5,  
4 United States Code).

