

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO SUBTITLE F
OFFERED BY M . _____**

Add at the end the following new section:

1 **SEC. 30604. TRANSFERRING MEDICAL LOSS RATIO RE-**
2 **BATES FOR ZERO-PREMIUM INDIVIDUALS TO**
3 **THE STATES.**

4 (a) IN GENERAL.—Section 2718(b) of the Public
5 Health Service Act (42 U.S.C. 300gg–18(b)) is amend-
6 ed—

7 (1) in paragraph (1)(A), in the matter pre-
8 ceding clause (i), by inserting “(or, in the case of a
9 specified enrollee (as defined in paragraph (4))
10 under such coverage, at the option of the State in
11 which such enrollee resides, to such State)” after “to
12 each enrollee under such coverage”; and

13 (2) by adding at the end the following new
14 paragraphs:

15 “(4) SPECIFIED ENROLLEE DEFINED.—For
16 purposes of paragraph (1)(A), the term ‘specified
17 enrollee’ means, with respect to a plan year, an indi-
18 vidual enrolled in individual health insurance cov-
19 erage with a credit allowed under section 36B of the

1 Internal Revenue Code of 1986 for such coverage
2 that equals the entire premium for such coverage.

3 “(5) STATE USE OF REBATE FUNDS.—In the
4 case of a State that receives a rebate pursuant to
5 this subsection, such State may only use such rebate
6 for activities that the State determines, based on ac-
7 tuarial analyses submitted to the Secretary, will re-
8 sult in lower premiums for health insurance coverage
9 offered in the individual or small group market for
10 individuals residing in such State.

11 “(6) FAILURE OF STATE TO MAKE ELECTION.—
12 In the case a State does not make the election de-
13 scribed in paragraph (1)(A) with respect to a year,
14 such rebates described in such paragraph that, ab-
15 sent this paragraph, would be paid to an enrollee in
16 such State, shall be paid to the General Fund of the
17 Treasury.”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall apply with respect to rebates provided
20 under section 2718(b) of the Public Health Service Act
21 (42 U.S.C. 300gg–18(b)) during plan years beginning on
22 or after January 1, 2022.

