

**AMENDMENT OFFERED BY REP. DOGGETT**

The amendment would provide additional patient protections to the advance explanation of benefits.

(2) insert after subparagraph (B) the following new subparagraph:

1           “(C) shall not, with respect to an item or  
2           service described in paragraph (6) of subsection  
3           (h)—

4                   “(i) reverse a determination that pro-  
5                   vides for coverage of such an item or serv-  
6                   ice after the plan provides a notification to  
7                   the participant, beneficiary, or enrollee  
8                   pursuant to such subsection; or

9                   “(ii) reverse a determination that pro-  
10                   vides that such an item or service is not  
11                   subject to a medical management tech-  
12                   nique (as described in such paragraph)  
13                   after the plan provides such a notification  
14                   to the participant, beneficiary, or enrollee  
15                   pursuant to such subsection;”.

In section 9816(h) of the Internal Revenue Code of 1986, as proposed to be inserted by section 6(b)—

(1) in the matter preceding paragraph (1), strike “through mail or electronic means” and insert “through mail and electronic means”;

(2) in paragraph (1)(B), strike “a description” through the period at the end and insert “a statement that the individual may seek such items or

1 after the plan provides such a notification  
2 to the participant or beneficiary pursuant  
3 to such subsection;”.

In section 716(h) of the Employee Retirement In-  
come Security Act of 1974, as proposed to be inserted by  
section 6(c)—

(1) in the matter preceding paragraph (1),  
strike “through mail or electronic means” and insert  
“through mail and electronic means”;

(2) in paragraph (1)(B), strike “a description”  
through the period at the end and insert “a state-  
ment that the individual may seek such items or  
services from providers and facilities that, with re-  
spect to such health plan, are participating providers  
and facilities and a list of such providers and facili-  
ties that are able to furnish such items and serv-  
ices.”; and

(3) in paragraph (7), strike “and is subject to  
change”.

In section 716(i) of the Employee Retirement In-  
come Security Act of 1974, as proposed to be inserted by  
section 6(c)—

(1) redesignate subparagraphs (C) and (D) as  
subparagraphs (D) and (E), respectively; and