

## **AMENDMENT OFFERED BY REP. DOGGETT**

The amendment would permit a patient to receive a scheduled service with an out-of-network provider at in-network cost-sharing rates if delaying the appointment to find an in-network provider would jeopardize the patient's health.

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 5826  
OFFERED BY MR. DOGGETT OF TEXAS**

Page 107, line 24, strike “either” and insert “any”.

In paragraph (2) of the section 2719A(i) being added by section 6(a), add at the end the following new subparagraph:

- 1                   “(C) The participant, beneficiary, or en-  
2                   rollee—
- 3                   “(i) received a notification under sub-  
4                   section (h) with respect to such item or  
5                   service to be furnished that provided infor-  
6                   mation that the provider was a nonpartici-  
7                   pating provider or facility was a non-  
8                   participating facility with respect to the  
9                   plan for furnishing such item or service;
- 10                   “(ii) scheduled an appointment to re-  
11                   ceive such item or service from such pro-  
12                   vider or facility prior to receiving such no-  
13                   tification; and
- 14                   “(iii) was not able to reschedule such  
15                   item or service with a participating pro-

1 provider or participating facility without plac-  
2 ing the participant's, beneficiary's, or en-  
3 rollee's health in jeopardy due to any delay  
4 attributable to such rescheduling (as speci-  
5 fied by the Secretary).”.

Page 120, line 11, strike “either” and insert “any”.

In paragraph (2) of the section 716(i) being added  
by section 6(e), add at the end the following new sub-  
paragraph:

6 “(C) The participant, beneficiary, or en-  
7 rollee—

8 “(i) received a notification under sub-  
9 section (h) with respect to such item or  
10 service to be furnished that provided infor-  
11 mation that the provider was a nonpartici-  
12 pating provider or facility was a non-  
13 participating facility with respect to the  
14 plan for furnishing such item or service;

15 “(ii) scheduled an appointment to re-  
16 ceive such item or service from such pro-  
17 vider or facility prior to receiving such no-  
18 tification; and

19 “(iii) was not able to reschedule such  
20 item or service with a participating pro-