

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2328  
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

Page 76, after line 15, insert the following (and update the table of contents accordingly):

1 **SEC. 407. IMPLEMENTING PROTECTIONS AGAINST PRO-**  
2 **VIDER NONDISCRIMINATION.**

3 (a) **REQUIRING RULEMAKING ON PROVIDER NON-**  
4 **DISCRIMINATION PROTECTIONS.**—Not later than 180 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Health and Human Services, the Secretary of Labor,  
7 and the Secretary of the Treasury shall issue interim final  
8 rules implementing the protections of section 2706(a) of  
9 the Public Health Service Act (42 U.S.C. 300gg-5(a)).  
10 The Secretaries shall accept and consider public comments  
11 on any interim final rule issued pursuant to this sub-  
12 section for a period of 60 days after the date of such  
13 issuance.

14 (b) **ENSURING NONDISCRIMINATION BY GRAND-**  
15 **FATHERED HEALTH PLANS.**—Section 1251(a)(4)(A) of  
16 the Patient Protection and Affordable Care Act is amend-  
17 ed by adding at the end the following new clause:

1                   “(v) For plan year 2020 and each  
2                   subsequent plan year, section 2706(a)  
3                   (prohibiting discrimination against health  
4                   care providers acting within the scope of  
5                   the provider’s license or certification under  
6                   applicable State law).”.

