

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3281
OFFERED BY MR. CARTER OF GEORGIA**

Add at the end the following:

1 **SEC. 304. APPLICATION OF ADDITIONAL PAYMENTS, DIS-**
2 **COUNTS, AND OTHER FINANCIAL ASSIST-**
3 **ANCE TOWARDS COST-SHARING REQUIRE-**
4 **MENTS.**

5 (a) APPLICATION TOWARD COST-SHARING REQUIRE-
6 MENTS.—Section 2715(g)(1) of the Public Health Service
7 Act (42 U.S.C. 300gg–15(g)(1)) is amended by adding at
8 the end the following: “In developing the standards for
9 defining the terms ‘deductible’, ‘co-insurance’, ‘co-pay-
10 ment’, and ‘out-of-pocket limit’ (as described in paragraph
11 (2)), such standards shall provide that such terms include
12 amounts paid by, or on behalf of, an individual enrolled
13 in a group health plan or group or individual health insur-
14 ance coverage, including third-party payments, financial
15 assistance, discounts, product vouchers, and other reduc-
16 tions in out-of-pocket expenses and that such amounts
17 shall be counted toward such deductible, co-insurance, co-
18 payment, or limit, respectively.”.

19 (b) CONFORMING AMENDMENTS.—

1 (1) PPACA.—Section 1302(c)(3) of the Patient
2 Protection and Affordable Care Act (42 U.S.C.
3 18022(c)(3)) is amended by adding at the end the
4 following new subparagraph:

5 “(C) APPLICATION OF TERMS.—For pur-
6 poses of subparagraph (A), the terms ‘deduct-
7 ible’, ‘coinsurance’, ‘copayment’, or ‘similar
8 charge’ and any other expenditure described in
9 clause (ii) of such subparagraph shall include
10 amounts paid by, or on behalf of, an individual
11 enrolled in a group health plan or group or in-
12 dividual health insurance coverage, including
13 third-party payments, financial assistance, dis-
14 counts, product vouchers, and other reductions
15 in out-of-pocket expenses and such amounts
16 shall be counted toward such deductible, coin-
17 surance, copayment, charge, or other expendi-
18 ture, respectively.”.

19 (2) PHSA.—Section 2707(b) of the Public
20 Health Service Act (42 U.S.C. 300gg–6(b)) is
21 amended by adding at the end the following new
22 sentence: “For purposes of the previous sentence,
23 such limitation shall be applied as if the reference to
24 ‘essential health benefits’ in section 1302(c)(3) of
25 the Patient Protection and Affordable Care Act were

1 a reference to ‘any item or service covered under the
2 plan included within a category of essential health
3 benefits as described in (b)(1) of such section’.”.

