

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6301
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Promoting High-Value
3 Health Care Through Flexibility for High Deductible
4 Health Plans Act of 2018”.

**5 SEC. 2. FIRST DOLLAR COVERAGE FLEXIBILITY FOR HIGH
6 DEDUCTIBLE HEALTH PLANS.**

7 (a) IN GENERAL.—Section 223(c)(2) of the Internal
8 Revenue Code of 1986 is amended by adding at the end
9 the following new subparagraph:

10 “(E) FIRST DOLLAR COVERAGE FLEXI-
11 BILITY.—

12 “(i) IN GENERAL.—A plan shall not
13 fail to be treated as a high deductible
14 health plan by reason of failing to have a
15 deductible for not more than \$250 of spec-
16 ified services for self-only coverage (twice
17 such amount in the case of family cov-
18 erage) during a plan year.

1 “(ii) SPECIFIED SERVICES.—For pur-
2 poses of this subparagraph, the term ‘spec-
3 ified services’ means, with respect to a
4 plan, services other than preventive care
5 (within the meaning of subparagraph (C))
6 identified under the terms of the plan as
7 being services to which clause (i) applies.”.

8 (b) INFLATION ADJUSTMENT.—Section 223(g)(1) of
9 such Code is amended—

10 (1) by striking “and (c)(2)(A)” and inserting “,
11 (c)(2)(A), and (c)(2)(E)”, and
12 (2) in subparagraph (B)—

13 (A) by striking “such taxable year” in the
14 matter preceding clause (i) and inserting “the
15 taxable year (plan year in the case of the dollar
16 amount in subsection (c)(2)(E))”, and

17 (B) by striking “clause (ii)” and inserting
18 “clauses (ii) and (iii)” in clause (i), by striking
19 “and” at the end of clause (i), by striking the
20 period at the end of clause (ii) and inserting “,
21 and”, and by inserting after clause (ii) the fol-
22 lowing new clause:

23 “(iii) in the case of the dollar amount
24 in subsection (c)(2)(E) for plan years be-

1 ginning in calendar years after 2019, ‘cal-
2 endar year 2018’.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to plan years begin-
5 ning after December 31, 2018.

