

FLOOR SCHEDULE FOR TUESDAY, MARCH 22, 2017

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative Business Fifteen "One Minutes"	1:00 – 2:00 p.m.	3:30 – 4:30 p.m.

Complete Consideration of [H.R. 372](#) – Competitive Health Insurance Reform Act of 2017 (Rep. Gosar – Judiciary). This bill would subject the health insurance industry to federal antitrust laws by eliminating the exemption as it applies to health insurance companies regulated at the state level. Removing this exemption, which is part of the McCarran-Ferguson Act, would subject the insurance industry to the same antitrust laws that other industries face.

The original intent of the 1945 McCarran-Ferguson Act was to encourage small insurance companies and promote insurance market competition by allowing insurance companies to share data so they could set competitively priced premiums that accurately reflected the specific characteristics of the markets in which they operated or sought to operate. At the time McCarran-Ferguson was enacted, there was significant legal uncertainty as to whether the sharing of such information restrained market competition and violated antitrust laws. House Democrats have long supported a full repeal of McCarran-Ferguson’s antitrust exemption for all insurers, not just the health insurance industry. In February of 2010 the House passed [H.R. 4626](#), sponsored by Rep. Tom Perriello (D-VA), which is similar to H.R. 372, by a vote of 406 to 19. That vote can be found [here](#).

House Republicans are trying to sell H.R. 372 as part of their ACA repeal plan, but they are clearly grasping at straws. Since Democrats have long advocated for the repeal of the antiquated McCarran-Ferguson Act, this bill will likely receive bipartisan support. But Democrats are under no illusions that passage of this bill will significantly improve health insurance affordability or coverage, create major new competition in the markets, or encourage health insurers to sell insurance across state lines. All it will do is apply the same common sense federal antitrust laws that have long applied to virtually every other U.S. industry to the health insurance industry. And this bill will do nothing to help the millions of Americans who will lose coverage or the millions more who will see their premiums and out-of-pocket costs increase under the Republican bill to repeal the Affordable Care Act, the American Health Care Act. H.R. 372 and the repeal of the ACA should be seen as two separate issues.

The Rule, which was adopted yesterday, provides for no further general debate.

Bill Text for H.R. 372:
[PDF Version](#)

Background for H.R. 372:
[House Report \(HTML Version\)](#)
[House Report \(PDF Version\)](#)

Complete Consideration of [H.R. 1101](#) – Small Business Health Fairness Act of 2017 (Rep. Sam Johnson – Education and the Workforce) (One hour of debate). The bill exempts association health plans (AHPs) from most state laws and regulations so they can create and set their own health insurance standards, which will destabilize insurance markets and result in inadequate coverage that puts the insured at risk. Under the Affordable Care Act (ACA), AHPs are required to meet the same standards as any coverage sold in the health insurance marketplace. This bill would remove that requirement, resulting in AHP enrollees receiving less robust coverage and potentially being responsible for unpaid medical claims as a result of plan failure, insolvency, or fraud. Under this legislation, AHPs would not be subject to the same consumer protections as health insurance purchased in the marketplace, subjecting individuals and small businesses in these plans to unnecessary risk.

If H.R. 1101 were enacted, AHPs would be in direct competition with plans in the health care marketplace. Since AHPs are subject to less regulation, they could be sold at a lower rate to lower-cost groups that are generally younger and healthier. This would result in increased premiums in the traditional market for older individuals, as well as many other small businesses with higher-cost workers, as a result of cherry-picking and adverse selection.

The Rule, which was adopted yesterday, provides one hour of general debate equally divided and

makes in order 1 Amendment, debatable for 10 minutes, equally divided between the offeror and an opponent. The amendment is:

Herrera Beutler Amendment. Clarifies that existing association health plans may continue to operate under existing state and federal law.

Suspensions (3 bills)

1. [H.R. 1302](#) – Terrorist and Foreign Fighter Travel Exercise Act of 2017 (Rep. McSally – Homeland Security)
2. [H.R. 1238](#) – Securing our Agriculture and Food Act (Rep. Young (IA) – Homeland Security)
3. [H.R. 1365](#) – Department of Homeland Security Acquisition Innovation Act, as amended (Rep. Correa – Homeland Security)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule for Thursday, March 23: The House will meet at 9:00 a.m. for legislative business. The House is expected to consider [H.R. 1628](#) – American Health Care Act of 2017 (Rep. Black – Budget) (Subject to a Rule). ****Members are advised that votes are expected to occur later than 3:00 p.m. on Thursday. Members are further advised that close votes are possible. Any expected absences should be reported to the Whip's Office at 5-3130.**

The Daily Quote

"The Republican health-care bill... will do 'great damage to our country,' GOP Rep. Mo Brooks told CNBC on Tuesday. 'It... is going to result in either higher premiums or higher taxes, or greater deficit and higher debt that's going to burden our economy for years, maybe decades to come,' the congressman from Alabama said in an interview with 'Closing Bell.'"

- CNBC, 3/22/2017