

S 1012

Patients' Bill of Rights Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 12, 2005

Current Status: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S5075-5099)

Latest Action: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S5075-5099)
(May 12, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1012>

Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		May 12, 2005
Sen. Cantwell, Maria [D-WA]	D · WA		May 12, 2005
Sen. Corzine, Jon S. [D-NJ]	D · NJ		May 12, 2005
Sen. Dayton, Mark [D-MN]	D · MN		May 12, 2005
Sen. Dorgan, Byron L. [D-ND]	D · ND		May 12, 2005
Sen. Harkin, Tom [D-IA]	D · IA		May 12, 2005
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		May 12, 2005
Sen. Levin, Carl [D-MI]	D · MI		May 12, 2005
Sen. Mikulski, Barbara A. [D-MD]	D · MD		May 12, 2005
Sen. Murray, Patty [D-WA]	D · WA		May 12, 2005
Sen. Reed, Jack [D-RI]	D · RI		May 12, 2005
Sen. Schumer, Charles E. [D-NY]	D · NY		May 12, 2005
Sen. Stabenow, Debbie [D-MI]	D · MI		May 12, 2005

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	May 12, 2005

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
109 HR 2650	Related bill	Jul 11, 2005: Referred to the Subcommittee on Employer-Employee Relations.
109 HR 2259	Identical bill	May 31, 2005: Referred to the Subcommittee on Employer-Employee Relations.

Summary (as of May 12, 2005)

Patients' Bill of Rights Act of 2005 - Amends the Public Health Service Act, the Employee Retirement Income Security Act of 1974 (ERISA), and the Internal Revenue Code to set forth requirements for health plans or issuers of health insurance coverage, including requirements for: (1) utilization review activities; (2) procedures for claims benefits processing, prior authorization determinations, appeals, and internal reviews; and (3) access for an independent, external review.

Requires the Secretary of Health and Human Services to establish the Health Care Consumer Assistance Fund to award grants to States for consumer assistance activities designed to provide information, assistance, and referrals to consumers of health insurance products.

Sets forth requirements for managed care programs and their access to care, including requiring such programs to: (1) offer coverage that allows for non-network coverage through another plan or issuer; (2) provide access to out-of-network emergency care without prior authorization; and (3) provide timely access to specialists.

Requires certain annual disclosures from health plans or issuers, including disclosures of covered benefits, cost-sharing requirements, and participating providers.

Prohibits a plan or issuer from: (1) restricting a health care professional's ability to advise a patient on the health of an individual or on medical care or treatment for the individual's condition or disease; and (2) operating any physician incentive plan.

Establishes a cause of action against a plan or issuer that fails to exercise ordinary care in making a decision that results in a personal injury or death to a participant or beneficiary.

Provides a tax credit to small businesses for expenses paid by the business for health insurance coverage of employees.

Actions Timeline

- **May 12, 2005:** Introduced in Senate
- **May 12, 2005:** Sponsor introductory remarks on measure. (CR S5075)
- **May 12, 2005:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S5075-5099)