

## HR 397

Reform Americans Can Afford Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Jan 24, 2011

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Feb 9, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/397>

### Sponsor

**Name:** Rep. Herger, Wally [R-CA-2]

**Party:** Republican • **State:** CA • **Chamber:** House

### Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bachus, Spencer [R-AL-6]	R · AL		Jan 24, 2011
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jan 24, 2011
Rep. Dent, Charles W. [R-PA-15]	R · PA		Jan 24, 2011
Rep. Gerlach, Jim [R-PA-6]	R · PA		Jan 24, 2011
Rep. Harper, Gregg [R-MS-3]	R · MS		Jan 24, 2011
Rep. Johnson, Sam [R-TX-3]	R · TX		Jan 24, 2011
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Jan 24, 2011
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Jan 24, 2011
Rep. Miller, Gary G. [R-CA-42]	R · CA		Jan 24, 2011
Rep. Reichert, David G. [R-WA-8]	R · WA		Jan 24, 2011
Rep. Sessions, Pete [R-TX-32]	R · TX		Jan 24, 2011
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jan 24, 2011
Rep. Schock, Aaron [R-IL-18]	R · IL		Jan 26, 2011
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 10, 2011
Rep. Paulsen, Erik [R-MN-3]	R · MN		Feb 11, 2011
Rep. Foxx, Virginia [R-NC-5]	R · NC		Mar 2, 2011
Rep. Fitzpatrick, Michael G. [R-PA-8]	R · PA		Jul 21, 2011

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Jan 24, 2011
Committee on House Administration	House	Referred To	Jan 24, 2011
Education and Workforce Committee	House	Referred To	Jan 24, 2011
Energy and Commerce Committee	House	Referred to	Feb 9, 2011
Judiciary Committee	House	Referred To	Jan 24, 2011
Natural Resources Committee	House	Referred to	Feb 1, 2011
Rules Committee	House	Referred To	Jan 24, 2011
Ways and Means Committee	House	Referred To	Jan 24, 2011

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
<a href="#">112 HR 6299</a>	Related bill	<b>Aug 3, 2012:</b> Referred to the Subcommittee on Health.
<a href="#">112 HR 5652</a>	Related bill	<b>May 15, 2012:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 398.
<a href="#">112 S 1488</a>	Related bill	<b>Aug 2, 2011:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
<a href="#">112 HR 1050</a>	Related bill	<b>Mar 21, 2011:</b> Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Reform Americans Can Afford Act of 2011 - Repeals the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, effective as of their enactment. Restores provisions of law amended by such Acts.

Requires each state to mitigate the cost of high risk individuals in the state through: (1) a state reinsurance program; or (2) a state high risk pool.

Prohibits a health insurance issuer from applying an annual or lifetime aggregate spending cap on any health insurance coverage or plan offered by such issuer, except if the imposition of such a cap would result in a significant decrease in access to benefits or a significant increase in premiums under the plan.

Requires the Secretary of Health and Human Services (HHS) to pay awards to states for reducing the premiums in the small group market or the individual market or reducing the percentage of uninsured, nonelderly residents in a state.

Amends the Employee Retirement Income Security Act of 1974 (ERISA) to provide for establishment and governance of association health plans, which are group health plans whose sponsors are trade, industry, professional, chamber of commerce, or similar business associations and which meet certain ERISA certification requirements.

Amends ERISA, the Public Health Service Act, and the Internal Revenue Code to require group health plans that provide dependent coverage of children to continue to treat an individual as a dependent until at least 25 years of age.

Prohibits a state from establishing a law that prevents an employer from instituting auto-enrollment for coverage under a group health plan, so long as the participant or beneficiary has the option of declining such coverage.

Directs that the laws of the state designated by a health insurance issuer (primary state) shall apply to individual health insurance coverage offered by that issuer in the primary state and in any other state (secondary state), but only if the coverage and issuer comply with conditions of this Act.

Revises provisions related to health savings accounts (HSAs), including to allow the payment of premiums for high deductible health plans from HSA accounts.

Sets conditions for lawsuits arising from health care liability claims regarding health care goods or services or any medical product affecting interstate commerce. Establishes a statute of limitations and limits noneconomic and punitive damages.

Declares that nothing in this Act shall be construed to interfere with the doctor-patient relationship or the practice of medicine.

Repeals provisions establishing the Federal Coordinating Council for Comparative Effectiveness Research.

Permits a group health plan to vary premiums and cost-sharing by up to 50% of the benefits based on participation (or lack of participation) in a wellness program.

Prohibits funds authorized or appropriated by federal law and funds in any trust fund to which funds are authorized or appropriated by federal law from being expended for any abortion.

Allows a person to submit an application for licensure of a biological product based on its similarity to a licensed

biological product (the reference product).

## Actions Timeline

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- **Feb 9, 2011:** Referred to the Subcommittee on Health.
- **Feb 1, 2011:** Referred to the Subcommittee Indian and Alaska Native Affairs.
- **Jan 24, 2011:** Introduced in House
- **Jan 24, 2011:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, House Administration, Natural Resources, Appropriations, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.