

HR 2868

Association Health Plans Act

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Health

Introduced: Apr 25, 2023

Current Status: Placed on the Union Calendar, Calendar No. 87.

Latest Action: Placed on the Union Calendar, Calendar No. 87. (Jun 14, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/2868>

Sponsor

Name: Rep. Walberg, Tim [R-MI-5]

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

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Allen, Rick W. [R-GA-12]	R · GA		Apr 25, 2023
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Apr 25, 2023
Rep. Crenshaw, Dan [R-TX-2]	R · TX		Apr 25, 2023
Rep. Foxx, Virginia [R-NC-5]	R · NC		Apr 25, 2023
Rep. Good, Bob [R-VA-5]	R · VA		Apr 25, 2023
Rep. Dunn, Neal P. [R-FL-2]	R · FL		May 16, 2023
Rep. Thompson, Glenn [R-PA-15]	R · PA		May 16, 2023

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Jun 14, 2023

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
118 S 3167	Related bill	Oct 30, 2023: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
118 HR 3799	Related bill	Jun 21, 2023: Motion to reconsider laid on the table Agreed to without objection.

Association Health Plans Act

This bill provides statutory authority for the treatment of association health plans (AHPs) as single, large employer health plans for purposes of the Employee Retirement Income Security Act (ERISA).

Under AHPs, groups of individuals or small employers join together to purchase health insurance coverage. AHPs were historically subject to the market requirements for individual and small group health plans. In 2018, the Department of Labor issued regulations that allowed an AHP to be considered a single, large employer under ERISA if certain conditions are met. The regulations have been subject to litigation, which is still ongoing.

The bill provides that a group of employers is treated as a single, large employer for the purpose of establishing an AHP if the group, among other listed criteria (1) has been in existence for at least two years prior to establishing a group health insurance plan and was formed for a purpose other than offering health insurance, (2) meets any criteria set by Labor in a prior advisory opinion, or (3) meets any other criteria set by Labor through regulations.

Additionally, the bill establishes rules for AHPs to set premium rates and prohibits AHPs from discriminating in coverage based on health status-related factors or denying coverage based on preexisting conditions.

Actions Timeline

- **Jun 14, 2023:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 118-112.
- **Jun 14, 2023:** Placed on the Union Calendar, Calendar No. 87.
- **Jun 6, 2023:** Committee Consideration and Mark-up Session Held.
- **Jun 6, 2023:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 18.
- **Apr 25, 2023:** Introduced in House
- **Apr 25, 2023:** Referred to the House Committee on Education and the Workforce.