

**AMENDMENT TO THE AMENDMENT IN THE NA-
TURE OF A SUBSTITUTE TO H.R. 4872, AS RE-
PORTED
OFFERED BY MS. MOORE OF WISCONSIN**

Page 20, after line 2 (at the end of subtitle A of title I), insert the following new section:

1 **SEC. 1006. PAYMENTS FROM INSURERS TO TREASURY OF**
2 **EXCESS PREMIUM REVENUE.**

3 (a) IN GENERAL.—Subsection (b)(1)(A) of section
4 2718 of the Public Health Service Act (as added by sec-
5 tion 1001(5) of the Patient Protection and Affordable
6 Care Act and amended by section 10101(f) of such Act)
7 is amended by striking “Beginning not later than” and
8 all that follows through “on a pro rata basis,” and insert-
9 ing “Beginning the later of January 1, 2014, or, with re-
10 spect to any State, the beginning of the first full calendar
11 year for which an Exchange is fully operational in such
12 State, a health insurance issuer offering group or indi-
13 vidual health insurance coverage (including a grand-
14 fathered health plan) in such State shall, for each plan
15 year, make an annual payment to the general fund of the
16 Treasury (as a deposit to such fund in the form of a gen-
17 eral receipt),”.

1 (b) AVAILABILITY OF FUNDS FOR REFUNDABLE
2 CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH
3 PLAN.—Section 2718 of the Public Health Service Act (as
4 so added and amended) is amended by adding at the end
5 the following:

6 “(f) AVAILABILITY OF FUNDS FOR REFUNDABLE
7 CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH
8 PLAN.—Amounts deposited in the general fund of the
9 Treasury under subsection (b)(1)(A) shall be available for
10 refunds pursuant to section 36B of the Internal Revenue
11 Code of 1986 (relating to refundable credit for coverage
12 under a qualified health plan).”.

13 (c) CONFORMING AMENDMENTS.—Subsection (b) of
14 such section 2718 is amended—

15 (1) by striking the heading for such subsection
16 and inserting “PAYMENTS TO TREASURY OF EXCESS
17 PREMIUM REVENUE.—”;

18 (2) by striking the heading for paragraph (1)
19 and inserting “REQUIREMENT TO MAKE PAY-
20 MENT.—”; and

21 (3) in paragraph (1)(B), by striking “REBATE”
22 in the heading and inserting “PAYMENT”, and by
23 striking “annual rebate” and inserting “annual pay-
24 ment”.

