

108TH CONGRESS  
1ST SESSION

# H. R. 56

To make the Federal employees health benefits program available to individuals age 55 to 65 who would not otherwise have health insurance, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. DREIER introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on Ways and Means, 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

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## A BILL

To make the Federal employees health benefits program available to individuals age 55 to 65 who would not otherwise have health insurance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIGIBILITY FOR FEHBP COVERAGE.**

4 (a) IN GENERAL.—Chapter 89 of title 5, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

1 **“§ 8915. Coverage for the near elderly**

2 “(a) For purposes of this section, the term ‘qualified  
3 individual’ means an individual who, as of the date on  
4 which such individual first submits an application for  
5 health insurance coverage under this chapter in accord-  
6 ance with subsection (d)—

7 “(1) is at least 55 but less than 65 years of  
8 age; and

9 “(2) has not been covered under any policy of  
10 health insurance for at least the preceding 30 days.

11 “(b) Subject to the succeeding provisions of this sec-  
12 tion, any qualified individual may enroll in an approved  
13 health benefits plan under this chapter, for self alone, so  
14 long as such individual pays currently into the Employees  
15 Health Benefits Fund, under arrangements acceptable to  
16 the Office of Personnel Management, the total subscrip-  
17 tion charges required.

18 “(c) The total subscription charges required in the  
19 case of an individual enrolled in a health benefits plan  
20 under this section shall be equal to the sum of the em-  
21 ployee and agency contributions that would apply under  
22 this chapter in the case of an employee enrolled in the  
23 same health benefits plan and level of benefits for self  
24 alone.

25 “(d) An application to obtain health insurance cov-  
26 erage under this section may be submitted during any

1 open enrollment period normally provided for under this  
 2 chapter and at such other times as the Office may by regu-  
 3 lation prescribe.

4 “(e) Notwithstanding any other provision of this sec-  
 5 tion—

6 “(1) an individual may not enroll or remain en-  
 7 rolled in any health benefits plan pursuant to this  
 8 section after attaining age 65; and

9 “(2) an individual whose enrollment under this  
 10 section is terminated, whether voluntarily or involun-  
 11 tarily, shall be barred from subsequently reenrolling  
 12 under this section.

13 “(f) The Office shall prescribe such regulations as  
 14 may be necessary to carry out this section.”.

15 (b) CONFORMING AMENDMENT.—The table of sec-  
 16 tions for chapter 89 of title 5, United States Code, is  
 17 amended by adding at the end the following:

“8915. Coverage for the near elderly.”.

18 (c) EFFECTIVE DATE.—The amendments made by  
 19 this section shall apply with respect to coverage in contract  
 20 years beginning later than 6 months after the date of the  
 21 enactment of this Act.

22 **SEC. 2. EXPANSION OF AVAILABILITY OF ARCHER MSAS.**

23 (a) REPEAL OF LIMITATIONS ON NUMBER OF AR-  
 24 CHER MSAS.—

1           (1) IN GENERAL.—Subsections (i) and (j) of  
2           section 220 of the Internal Revenue Code of 1986  
3           are hereby repealed.

4           (2) CONFORMING AMENDMENT.—Paragraph (1)  
5           of section 220(e) of such Code is amended by strik-  
6           ing subparagraph (D).

7           (b) EFFECTIVE DATE.—The amendments made by  
8           this section shall apply to taxable years ending after the  
9           date of the enactment of this Act.

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