

# House Calendar No. 175

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 638

[Report No. 108-484]

Providing for consideration of the bill (H.R. 4279) to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements; for consideration of the bill (H.R. 4280) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; and for consideration of the bill (H.R. 4281) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2004

Ms. PRYCE, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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# RESOLUTION

Providing for consideration of the bill (H.R. 4279) to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements; for consideration of the bill (H.R. 4280) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places

on the health care delivery system; and for consideration of the bill (H.R. 4281) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

1       *Resolved*, That upon the adoption of this resolution  
2 it shall be in order to consider in the House the bill (H.R.  
3 4279) to amend the Internal Revenue Code of 1986 to  
4 provide for the disposition of unused health benefits in caf-  
5 eteria plans and flexible spending arrangements. The bill  
6 shall be considered as read for amendment. The previous  
7 question shall be considered as ordered on the bill and on  
8 any amendment thereto to final passage without inter-  
9 vening motion except: (1) one hour of debate on the bill  
10 equally divided and controlled by the chairman and rank-  
11 ing minority member of the Committee on Ways and  
12 Means; (2) the amendment in the nature of a substitute  
13 printed in part A of the report of the Committee on Rules  
14 accompanying this resolution, if offered by Representative  
15 Rangel of New York or his designee, which shall be in  
16 order without intervention of any point of order, shall be  
17 considered as read, and shall be separately debatable for  
18 one hour equally divided and controlled by the proponent  
19 and an opponent; and (3) one motion to recommit with  
20 or without instructions.

1        SEC. 2. Upon the adoption of this resolution it shall  
2 be in order to consider in the House the bill (H.R. 4280)  
3 to improve patient access to health care services and pro-  
4 vide improved medical care by reducing the excessive bur-  
5 den the liability system places on the health care delivery  
6 system. The bill shall be considered as read for amend-  
7 ment. The previous question shall be considered as ordered  
8 on the bill to final passage without intervening motion ex-  
9 cept: (1) one hour of debate on the bill, with 40 minutes  
10 equally divided and controlled by the chairman and rank-  
11 ing minority member of the Committee on the Judiciary  
12 and 20 minutes equally divided and controlled by the  
13 chairman and ranking minority member of the Committee  
14 on Energy and Commerce; and (2) one motion to recom-  
15 mit.

16        SEC. 3. Upon the adoption of this resolution it shall  
17 be in order to consider in the House the bill (H.R. 4281)  
18 to amend title I of the Employee Retirement Income Secu-  
19 rity Act of 1974 to improve access and choice for entre-  
20 preneurs with small businesses with respect to medical  
21 care for their employees. The bill shall be considered as  
22 read for amendment. The previous question shall be con-  
23 sidered as ordered on the bill and on any amendment  
24 thereto to final passage without intervening motion except:  
25 (1) one hour of debate on the bill equally divided and con-

1 trolled by the chairman and ranking minority member of  
2 the Committee on Education and the Workforce; (2) the  
3 amendment in the nature of a substitute printed in part  
4 B of the report of the Committee on Rules, if offered by  
5 Representative Kind of Wisconsin or his designee, which  
6 shall be in order without intervention of any point of  
7 order, shall be considered as read, and shall be separately  
8 debatable for one hour equally divided and controlled by  
9 the proponent and an opponent; and (3) one motion to  
10 recommit with or without instructions.

11 SEC. 4. (a) In the engrossment of H.R. 4279, the  
12 Clerk shall—

13 (1) await the disposition of H.R. 4280 and  
14 H.R. 4281;

15 (2) add the respective texts of H.R. 4280 and  
16 H.R. 4281, as passed by the House, as new matter  
17 at the end of H.R. 4279;

18 (3) conform the title of H.R. 4279 to reflect the  
19 addition of the text of H.R. 4280 or H.R. 4281 to  
20 the engrossment;

21 (4) assign appropriate designations to provi-  
22 sions within the engrossment; and

23 (5) conform provisions for short titles within  
24 the engrossment.

1           (b) Upon the addition of the text of H.R. 4280 or  
2 H.R. 4281 to the engrossment of H.R. 4279, H.R. 4280  
3 or H.R. 4281 (as the case may be) shall be laid on the  
4 table.

5           (c) If H.R. 4279 is disposed of without reaching the  
6 state of engrossment as contemplated in subsection (a),  
7 H.R. 4280 shall be treated in the manner specified for  
8 H.R. 4279 in subsections (a) and (b), and only H.R. 4281  
9 shall be laid on the table.

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