

110TH CONGRESS
2^D SESSION

H. R. 6319

To establish the Commission on Affordable Health Care to study and provide recommendations for establishing a health care system to provide affordable health care to all citizens of the United States and for the roles of certain health care entities in providing such services under such system, and to provide for expedited Congressional consideration of such recommendations.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2008

Mr. HILL introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on 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

A BILL

To establish the Commission on Affordable Health Care to study and provide recommendations for establishing a health care system to provide affordable health care to all citizens of the United States and for the roles of certain health care entities in providing such services under such system, and to provide for expedited Congressional consideration of such recommendations.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commission on Afford-
3 able Health Care Act of 2008”.

4 **SEC. 2. COMMISSION ON AFFORDABLE HEALTH CARE.**

5 (a) ESTABLISHMENT OF COMMISSION.—

6 (1) ESTABLISHMENT.—There is established in
7 the legislative branch a commission to be known as
8 the “Commission on Affordable Health Care” (in
9 this section referred to as the “Commission”).

10 (2) DUTIES.—The Commission shall conduct a
11 comprehensive study of potential models for a health
12 care system to provide affordable (as determined by
13 the Commission) and quality health care to all citi-
14 zens of the United States and based on such study
15 shall make recommendations for implementing such
16 a system, including recommendations for the role of
17 and relationships between the Federal government,
18 State governments, health care providers, and other
19 appropriate health care industry entities in providing
20 such health care under such a system.

21 (3) APPLICABILITY OF CERTAIN ADMINISTRA-
22 TIVE LAWS.—

23 (A) FOIA.—The provisions of section 552
24 of title 5, United States Code (commonly re-
25 ferred to as the “Freedom of Information

1 Act”), shall apply to the activities of the Com-
2 mission under this section.

3 (B) FEDERAL RECORDS ACT.—The provi-
4 sions of title 44, United States Code, shall
5 apply to the records, documents, and other pa-
6 pers of the Commission under this section.

7 (b) STRUCTURE AND MEMBERSHIP OF THE COMMIS-
8 SION.—

9 (1) NUMBER AND APPOINTMENT.—The Com-
10 mission shall be composed of not more than 19
11 members and shall include at least the following:

12 (A) The Chairman of the Committee on
13 Energy and Commerce of the House of Rep-
14 resentatives.

15 (B) The Chairman of the Committee on
16 Ways and Means of the House of Representa-
17 tives.

18 (C) The Chairman of the Committee on
19 Finance of the Senate.

20 (D) The Chairman of the Committee on
21 Health, Education, Labor, and Pensions of the
22 Senate.

23 (E) One representative for each of the fol-
24 lowing interested entities:

25 (i) Patient advocates.

- 1 (ii) Hospitals.
- 2 (iii) Physicians.
- 3 (iv) Medical devices.
- 4 (v) Pharmaceutical companies.
- 5 (vi) Nurses.
- 6 (vii) The National Governors Associa-
- 7 tion.
- 8 (viii) The Department of Health and
- 9 Human Services.
- 10 (ix) The White House.
- 11 (x) Labor unions.
- 12 (xi) The Chamber of Commerce.
- 13 (xii) Any other appropriate interested
- 14 entity identified by the co-chairmen of the
- 15 Commission.

16 (2) CO-CHAIRMEN OF THE COMMISSION.—The

17 co-chairmen of the Commission shall include only

18 each chairman described in each of subparagraphs

19 (A) through (D) of paragraph (1).

20 (3) CONTINUATION OF MEMBERSHIP.—If a

21 member was appointed to the Commission as a

22 Member of Congress and the member ceases to be

23 a Member of Congress, or was appointed to the

24 Commission because the member was not an officer

25 or employee of any government and later becomes an

1 officer or employee of a government, that member
2 may continue as a member for not longer than the
3 60-day period beginning on the date that member
4 ceases to be a Member of Congress, or becomes such
5 an officer or employee, as the case may be.

6 (4) VACANCIES.—Any vacancy in the Commis-
7 sion shall not affect its powers, and shall be filled
8 in the same manner in which the original appoint-
9 ment was made.

10 (5) BASIC PAY.—

11 (A) RATES OF PAY.—Except as provided
12 in subparagraph (B), members shall serve with-
13 out pay.

14 (B) TRAVEL EXPENSES.—Each member
15 shall receive travel expenses, including per diem
16 in lieu of subsistence, in accordance with appli-
17 cable provisions under subchapter I of chapter
18 57 of title 5, United States Code.

19 (6) QUORUM.—Seven members of the Commis-
20 sion shall constitute a quorum.

21 (c) MEETINGS.—

22 (1) INITIAL MEETING OF CO-CHAIRMEN OF
23 COMMISSION.—Not later than the date that is 60
24 days after the date of the enactment of this Act, the

1 co-chairmen of the Commission shall initially meet
2 to—

3 (A) identify any appropriate interested
4 party to be included under subsection
5 (b)(1)(E)(ix); and

6 (B) establish appropriate rules and proce-
7 dures for the Commission, including a rule re-
8 quiring that each member of the Commission
9 who represents an entity described in subsection
10 (b)(1)(E) prepare for the Commission a written
11 proposal that describes the proposed role of the
12 entity involved in a health system to ensure the
13 provision of affordable health care under such
14 system to all citizens of the United States.

15 (2) GENERAL MEETINGS.—The Commission
16 shall meet at the call of a majority of the co-chair-
17 men of the Commission.

18 (d) STAFF.—

19 (1) IN GENERAL.—The Commission may ap-
20 point any employee pursuant to section 3161(b) of
21 title 5, United States Code. The rate of basic pay
22 for such an employee shall be established pursuant
23 to section 3161(d)(1) of that title.

24 (2) EXPERTS AND CONSULTANTS.—The Com-
25 mission may procure temporary and intermittent

1 services under section 3109(b) of title 5, United
2 States Code, but at rates for individuals not to ex-
3 ceed the daily equivalent of the maximum annual
4 rate of basic pay for GS-3 of the General Schedule.

5 (3) STAFF OF FEDERAL AGENCIES.—Upon re-
6 quest of the Commission, the head of any Federal
7 department or agency may detail any of the per-
8 sonnel of that department or agency to the Commis-
9 sion to assist it in carrying out its duties under this
10 section.

11 (e) POWERS OF THE COMMISSION.—

12 (1) HEARINGS AND SESSION.—The Commission
13 may, for the purpose of carrying out this section,
14 hold hearings, sit and act at times and places, take
15 testimony, and receive evidence as the Commission
16 considers appropriate.

17 (2) POWERS OF MEMBERS AND AGENTS.—Any
18 member or agent of the Commission may, if author-
19 ized by the Commission, take any action which the
20 Commission is authorized to take by this section.

21 (3) OBTAINING OFFICIAL DATA.—The Commis-
22 sion may secure directly from any department or
23 agency of the United States information necessary
24 to enable it to carry out this section. Upon request
25 of the Commission, the head of that department or

1 agency shall furnish that information to the Com-
2 mission.

3 (4) GIFTS, BEQUESTS, AND DEVISES.—The
4 Commission may accept, use, and dispose of gifts,
5 bequests, or devises of services or property, both real
6 and personal, for the purpose of aiding or facili-
7 tating the work of the Commission. Gifts, bequests,
8 or devises of money and proceeds from sales of other
9 property received as gifts, bequests, or devises shall
10 be deposited in the Treasury and shall be available
11 for disbursement upon order of the Commission.

12 (5) MAILS.—The Commission may use the
13 United States mails in the same manner and under
14 the same conditions as other departments and agen-
15 cies of the United States.

16 (6) ADMINISTRATIVE SUPPORT SERVICES.—
17 Upon the request of the Commission, the Adminis-
18 trator of General Services shall provide to the Com-
19 mission, on a reimbursable basis, the administrative
20 support services necessary for the Commission to
21 carry out its responsibilities under this section.

22 (f) REPORT; LEGISLATIVE PROPOSAL.—Not later
23 than two years after the date of the initial meeting of the
24 co-chairmen of the Commission described in subsection
25 (c)(1), the Commission shall submit to Congress a report

1 on the study described in subsection (a)(2) that con-
2 tains—

3 (1) a detailed statement of the findings, conclu-
4 sions, and recommendations of the Commission, in-
5 cluding such recommendations described in such
6 paragraph; and

7 (2) a legislative proposal that provides for a
8 health care system based on the recommendations of
9 the Commission.

10 (g) TERMINATION.—The Commission, and all the au-
11 thorities of this Act, shall terminate 30 days after the date
12 on which the report is submitted under subsection (f).

13 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated such sums as may be nec-
15 essary to carry out this section.

16 **SEC. 3. EXPEDITED CONGRESSIONAL CONSIDERATION OF**
17 **LEGISLATIVE PROPOSAL FOR HEALTH CARE**
18 **SYSTEM.**

19 (a) INTRODUCTION AND EXPEDITED CONSIDER-
20 ATION IN THE HOUSE OF REPRESENTATIVES.—

21 (1) INTRODUCTION IN HOUSE OF REPRESENTA-
22 TIVES.—The legislative proposal submitted pursuant
23 to section 2(f)(2) shall be in the form of a joint reso-
24 lution (in this subsection referred to as the “resolu-
25 tion”). Such resolution shall be introduced in the

1 House of Representatives by the Speaker imme-
2 diately upon receipt of the language and shall be re-
3 ferred non-sequentially to the appropriate committee
4 (or committees) of the House of Representatives. If
5 the resolution is not introduced in accordance with
6 the preceding sentence, the resolution may be intro-
7 duced by any member of the House of Representa-
8 tives.

9 (2) COMMITTEE CONSIDERATION.—Not later
10 than 15 calendar days after the introduction of the
11 resolution described in paragraph (1), each com-
12 mittee of the House of Representatives to which the
13 resolution was referred shall report the resolution.
14 The report may include, at the committee’s discre-
15 tion, a recommendation for action by the House. If
16 a committee has not reported such resolution (or an
17 identical resolution) at the end of 15 calendar days
18 after its introduction or at the end of the first day
19 after there has been reported to the House a resolu-
20 tion, whichever is earlier, such committee shall be
21 deemed to be discharged from further consideration
22 of such resolution and such resolution shall be
23 placed on the appropriate calendar of the House of
24 Representatives.

1 (3) EXPEDITED PROCEDURE IN HOUSE.—Not
2 later than 5 legislative days after the date on which
3 all committees have been discharged from consider-
4 ation of a resolution, the Speaker of the House of
5 Representatives, or the Speaker’s designee, shall
6 move to proceed to the consideration of the resolu-
7 tion. It shall also be in order for any member of the
8 House of Representatives to move to proceed to the
9 consideration of the resolution at any time after the
10 conclusion of such 5-day period. All points of order
11 against the resolution (and against consideration of
12 the resolution) are waived. A motion to proceed to
13 the consideration of the resolution is highly privi-
14 leged in the House of Representatives and is not de-
15 batable. The motion is not subject to amendment, to
16 a motion to postpone consideration of the resolution,
17 or to a motion to proceed to the consideration of
18 other business. A motion to reconsider the vote by
19 which the motion to proceed is agreed to or not
20 agreed to shall not be in order. If the motion to pro-
21 ceed is agreed to, the House of Representatives shall
22 immediately proceed to consideration of the resolu-
23 tion without intervening motion, order, or other
24 business, and the resolution shall remain the unfin-
25 ished business of the House of Representatives until

1 disposed of. A motion to recommit the resolution
2 shall not be in order. Upon its passage in the House,
3 the clerk of the House shall provide for its imme-
4 diate transmittal to the Senate.

5 (b) EXPEDITED CONSIDERATION IN THE SENATE.—

6 (1) REFERRAL TO COMMITTEE.—If the resolu-
7 tion is agreed to by the House of Representatives,
8 upon its receipt in the Senate the Majority Leader
9 of the Senate, or the Leader's designee, the resolu-
10 tion shall be referred to the appropriate committee
11 (or committees) of the Senate.

12 (2) COMMITTEE CONSIDERATION.—Not later
13 than 15 calendar days after the referral of the reso-
14 lution under paragraph (1), each committee of the
15 Senate to which the resolution was referred shall re-
16 port the resolution. The report may include, at each
17 such committee's discretion, a recommendation for
18 action by the Senate. If a committee has not re-
19 ported such resolution (or an identical resolution) at
20 the end of 15 calendar days after its referral or at
21 the end of the first day after there has been reported
22 to the Senate a resolution, whichever is earlier, such
23 committee shall be deemed to be discharged from
24 further consideration of such resolution and such

1 resolution shall be placed on the appropriate cal-
2 endar of the Senate.

3 (3) EXPEDITED FLOOR CONSIDERATION.—Not
4 later than 5 legislative days after the date on which
5 all committees have been discharged from consider-
6 ation of a resolution, the Majority Leader of the
7 Senate, or the Majority Leader’s designee, shall
8 move to proceed to the consideration of the resolu-
9 tion. It shall also be in order for any member of the
10 Senate to move to proceed to the consideration of
11 the resolution at any time after the conclusion of
12 such 5-day period. All points of order against the
13 resolution (and against consideration of the resolu-
14 tion) are waived. A motion to proceed to the consid-
15 eration of the resolution in the Senate is privileged
16 and is not debatable. The motion is not subject to
17 amendment, to a motion to postpone consideration
18 of the resolution, or to a motion to proceed to the
19 consideration of other business. A motion to recon-
20 sider the vote by which the motion to proceed is
21 agreed to or not agreed to shall not be in order. If
22 the motion to proceed is agreed to, the Senate shall
23 immediately proceed to consideration of the resolu-
24 tion without intervening motion, order, or other

1 business, and the resolution shall remain the unfin-
2 ished business of the Senate until disposed of.

3 (c) RULES OF THE SENATE AND HOUSE OF REP-
4 RESENTATIVES.—This section is enacted by Congress—

5 (1) as an exercise of the rulemaking power of
6 the Senate and House of Representatives, respec-
7 tively, and is deemed to be part of the rules of each
8 House, respectively, but applicable only with respect
9 to the procedure to be followed in that House in the
10 case of a resolution under this subsection, and it su-
11 persedes other rules only to the extent that it is in-
12 consistent with such rules; and

13 (2) with full recognition of the constitutional
14 right of either House to change the rules (so far as
15 they relate to the procedure of that House) at any
16 time, in the same manner, and to the same extent
17 as in the case of any other rule of that House.

○