

One Hundred Eleventh Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the fifth day of January, two thousand and ten*

An Act

Entitled The Patient Protection and Affordable Care Act.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Patient Protection and Affordable Care Act”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

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Subtitle A—Immediate Improvements in Health Care Coverage for All Americans

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“SUBPART II—IMPROVING COVERAGE

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“Sec. 2712. Prohibition on rescissions.

“Sec. 2713. Coverage of preventive health services.

“Sec. 2714. Extension of dependent coverage.

“Sec. 2715. Development and utilization of uniform explanation of coverage documents and standardized definitions.

“Sec. 2716. Prohibition of discrimination based on salary.

“Sec. 2717. Ensuring the quality of care.

“Sec. 2718. Bringing down the cost of health care coverage.

“Sec. 2719. Appeals process.

Sec. 1002. Health insurance consumer information.

Sec. 1003. Ensuring that consumers get value for their dollars.

Sec. 1004. Effective dates.

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Sec. 1102. Reinsurance for early retirees.

Sec. 1103. Immediate information that allows consumers to identify affordable coverage options.

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“SUBPART I—GENERAL REFORM

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“Sec. 2701. Fair health insurance premiums.

“Sec. 2702. Guaranteed availability of coverage.

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- “Sec. 2703. Guaranteed renewability of coverage.
- “Sec. 2705. Prohibiting discrimination against individual participants and beneficiaries based on health status.
- “Sec. 2706. Non-discrimination in health care.
- “Sec. 2707. Comprehensive health insurance coverage.
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TITLE X—STRENGTHENING QUALITY, AFFORDABLE HEALTH CARE FOR ALL AMERICANS

Subtitle A—Provisions Relating to Title I

Sec. 10101. Amendments to subtitle A.
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PART I—MEDICAID AND CHIP

Sec. 10201. Amendments to the Social Security Act and title II of this Act.
Sec. 10202. Incentives for States to offer home and community-based services as a long-term care alternative to nursing homes.
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PART II—SUPPORT FOR PREGNANT AND PARENTING TEENS AND WOMEN

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- Sec. 10221. Indian health care improvement.

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- Sec. 10301. Plans for a Value-Based purchasing program for ambulatory surgical centers.
- Sec. 10302. Revision to national strategy for quality improvement in health care.
- Sec. 10303. Development of outcome measures.
- Sec. 10304. Selection of efficiency measures.
- Sec. 10305. Data collection; public reporting.
- Sec. 10306. Improvements under the Center for Medicare and Medicaid Innovation.
- Sec. 10307. Improvements to the Medicare shared savings program.
- Sec. 10308. Revisions to national pilot program on payment bundling.
- Sec. 10309. Revisions to hospital readmissions reduction program.
- Sec. 10310. Repeal of physician payment update.
- Sec. 10311. Revisions to extension of ambulance add-ons.
- Sec. 10312. Certain payment rules for long-term care hospital services and moratorium on the establishment of certain hospitals and facilities.
- Sec. 10313. Revisions to the extension for the rural community hospital demonstration program.
- Sec. 10314. Adjustment to low-volume hospital provision.
- Sec. 10315. Revisions to home health care provisions.
- Sec. 10316. Medicare DSH.
- Sec. 10317. Revisions to extension of section 508 hospital provisions.
- Sec. 10318. Revisions to transitional extra benefits under Medicare Advantage.
- Sec. 10319. Revisions to market basket adjustments.
- Sec. 10320. Expansion of the scope of, and additional improvements to, the Independent Medicare Advisory Board.
- Sec. 10321. Revision to community health teams.
- Sec. 10322. Quality reporting for psychiatric hospitals.
- Sec. 10323. Medicare coverage for individuals exposed to environmental health hazards.
- Sec. 10324. Protections for frontier States.
- Sec. 10325. Revision to skilled nursing facility prospective payment system.
- Sec. 10326. Pilot testing pay-for-performance programs for certain Medicare providers.
- Sec. 10327. Improvements to the physician quality reporting system.
- Sec. 10328. Improvement in part D medication therapy management (MTM) programs.
- Sec. 10329. Developing methodology to assess health plan value.
- Sec. 10330. Modernizing computer and data systems of the Centers for Medicare & Medicaid services to support improvements in care delivery.
- Sec. 10331. Public reporting of performance information.
- Sec. 10332. Availability of medicare data for performance measurement.
- Sec. 10333. Community-based collaborative care networks.
- Sec. 10334. Minority health.
- Sec. 10335. Technical correction to the hospital value-based purchasing program.
- Sec. 10336. GAO study and report on Medicare beneficiary access to high-quality dialysis services.

Subtitle D—Provisions Relating to Title IV

- Sec. 10401. Amendments to subtitle A.
- Sec. 10402. Amendments to subtitle B.
- Sec. 10403. Amendments to subtitle C.
- Sec. 10404. Amendments to subtitle D.
- Sec. 10405. Amendments to subtitle E.
- Sec. 10406. Amendment relating to waiving coinsurance for preventive services.
- Sec. 10407. Better diabetes care.
- Sec. 10408. Grants for small businesses to provide comprehensive workplace wellness programs.
- Sec. 10409. Cures Acceleration Network.
- Sec. 10410. Centers of Excellence for Depression.
- Sec. 10411. Programs relating to congenital heart disease.
- Sec. 10412. Automated Defibrillation in Adam's Memory Act.
- Sec. 10413. Young women's breast health awareness and support of young women diagnosed with breast cancer.

Subtitle E—Provisions Relating to Title V

- Sec. 10501. Amendments to the Public Health Service Act, the Social Security Act, and title V of this Act.

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- Sec. 10502. Infrastructure to Expand Access to Care.
- Sec. 10503. Community Health Centers and the National Health Service Corps Fund.
- Sec. 10504. Demonstration project to provide access to affordable care.

Subtitle F—Provisions Relating to Title VI

- Sec. 10601. Revisions to limitation on medicare exception to the prohibition on certain physician referrals for hospitals.
- Sec. 10602. Clarifications to patient-centered outcomes research.
- Sec. 10603. Striking provisions relating to individual provider application fees.
- Sec. 10604. Technical correction to section 6405.
- Sec. 10605. Certain other providers permitted to conduct face to face encounter for home health services.
- Sec. 10606. Health care fraud enforcement.
- Sec. 10607. State demonstration programs to evaluate alternatives to current medical tort litigation.
- Sec. 10608. Extension of medical malpractice coverage to free clinics.
- Sec. 10609. Labeling changes.

Subtitle G—Provisions Relating to Title VIII

- Sec. 10801. Provisions relating to title VIII.

Subtitle H—Provisions Relating to Title IX

- Sec. 10901. Modifications to excise tax on high cost employer-sponsored health coverage.
- Sec. 10902. Inflation adjustment of limitation on health flexible spending arrangements under cafeteria plans.
- Sec. 10903. Modification of limitation on charges by charitable hospitals.
- Sec. 10904. Modification of annual fee on medical device manufacturers and importers.
- Sec. 10905. Modification of annual fee on health insurance providers.
- Sec. 10906. Modifications to additional hospital insurance tax on high-income taxpayers.
- Sec. 10907. Excise tax on indoor tanning services in lieu of elective cosmetic medical procedures.
- Sec. 10908. Exclusion for assistance provided to participants in State student loan repayment programs for certain health professionals.
- Sec. 10909. Expansion of adoption credit and adoption assistance programs.

**TITLE I—QUALITY, AFFORDABLE
HEALTH CARE FOR ALL AMERICANS**

**Subtitle A—Immediate Improvements in
Health Care Coverage for All Americans**

SEC. 1001. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

Part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) is amended—

(1) by striking the part heading and inserting the following:

**“PART A—INDIVIDUAL AND GROUP MARKET
REFORMS”;**

(2) by redesignating sections 2704 through 2707 as sections 2725 through 2728, respectively;

(3) by redesignating sections 2711 through 2713 as sections 2731 through 2733, respectively;

(4) by redesignating sections 2721 through 2723 as sections 2735 through 2737, respectively; and

(5) by inserting after section 2702, the following: