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AMENDMENT TO \_\_\_\_\_  
OFFERED BY MR. BRADY OF TEXAS

Base text: HR 3962 as introduced

In subtitle B of title III of division A (relating to the public health insurance option), add at the end the following:

1 **SEC. 332. PROTECTIONS AGAINST GOVERNMENT-RATIONED**  
2 **HEALTH CARE.**

3 (a) IN GENERAL.—If the Secretary of Health and  
4 Human Services determines, based on the data collected  
5 under subsection (b), that—

6 (1) the wait times for enrollees in the public  
7 heath insurance option for obtaining an appointment  
8 with a primary care physician exceed the average  
9 wait times for enrollees in private health benefits  
10 plans offered through the Health Insurance Ex-  
11 change; or

12 (2) the wait times for enrollees in the public  
13 heath insurance option for obtaining an appointment  
14 with a specialty physician exceed the average wait  
15 times for enrollees in private health benefits plans  
16 offered through the Health Insurance Exchange;

1 then the public health insurance option shall cease to oper-  
2 ate and any enrollees in such option as of such cessation  
3 shall be permitted to enroll (in such manner as the Health  
4 Choices Commissioner may provide) in any other health  
5 benefits plan through the Health Insurance Exchange.

6 (b) DATA COLLECTION.—The Secretary of Health  
7 and Human Services shall collect data, beginning for  
8 2013, on individual wait times for obtaining an appoint-  
9 ment with primary care physicians and all specialty physi-  
10 cians for enrollees in the public health insurance option  
11 and for enrollees in other health benefits plans offered  
12 through the Health Insurance Exchange. Such data shall  
13 include information on any geographic variation with re-  
14 spect to such wait times.

15 (c) REPORTS TO CONGRESS; MARKETING MATE-  
16 RIALS.—

17 (1) REPORTS.—The Secretary of Health and  
18 Human Services shall, beginning for 2013, annually  
19 make a written report to Congress presenting the  
20 data collected under subsection (b).

21 (2) MARKETING MATERIALS.—Data related to  
22 wait times collected under subsection (b) shall be in-  
23 cluded in marketing materials for all health benefits  
24 plans and must be made available in an easily acces-  
25 sible manner to the public.

In section 100(b), insert after the item relating to section 331 the following item:

Sec. 332. Protections against government-rationed health care.

