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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R. _____

To amend the Patient Protection and Affordable Care Act to permit a State to elect not to establish an American Health Benefit Exchange.

IN THE HOUSE OF REPRESENTATIVES

Mr. FLEMING introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Patient Protection and Affordable Care Act to permit a State to elect not to establish an American Health Benefit Exchange.

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. SHORT TITLE.**

4 This Act may be cited as the “Stop the Federal Ex-
5 changes from Destroying States Act” or the “STOP the
6 FEDS Act”.

1 **SEC. 2. STATE OPT OUT FROM AMERICAN HEALTH BENEFIT**
2 **EXCHANGE REQUIREMENT.**

3 (a) IN GENERAL.—Section 1311 of the Patient Pro-
4 tection and Affordable Care Act (Public Law 111–148)
5 is amended by adding at the end the following new sub-
6 section:

7 “(1) STATE OPT OUT.—

8 “(1) IN GENERAL.—A State may elect not to
9 establish any required Exchange for the State (or to
10 cease the operation of all required Exchanges for the
11 State) if the State enacts a law that provides for
12 such election.

13 “(2) TERMINATION OF OPT OUT.—A State may
14 repeal a law described in paragraph (1) and provide
15 for the establishment of an Exchange for the
16 State.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) Section 1311(b)(1) of the Patient Protec-
19 tion and Affordable Care Act is amended by striking
20 “Each State” and inserting “Subject to subsection
21 (1), each State”.

22 (2) Section 1321(c) of such Act is amended by
23 adding at the end the following sentence: “The pre-
24 ceding sentence shall not apply to a State that has
25 in effect a law described in section 1311(l).”.