

1 **“SEC. 2730. CONTINUITY OF CARE.**

2 “(a) ENSURING CONTINUITY OF CARE WITH RE-  
3 SPECT TO TERMINATIONS OF CERTAIN CONTRACTUAL  
4 RELATIONSHIPS RESULTING IN CHANGES IN PROVIDER  
5 NETWORK STATUS.—

6 “(1) IN GENERAL.—In the case of an individual  
7 with benefits under a group health plan or group or  
8 individual health insurance coverage offered by a  
9 health insurance issuer and with respect to a health  
10 care provider or facility that has a contractual rela-  
11 tionship with such plan or such issuer (as applica-  
12 ble) for furnishing items and services under such  
13 plan or such coverage, if, while such individual is a  
14 continuing care patient (as defined in subsection (b))  
15 with respect to such provider or facility—

16 “(A) such contractual relationship is termi-  
17 nated (as defined in subsection (b));

18 “(B) benefits provided under such plan or  
19 such health insurance coverage with respect to  
20 such provider or facility are terminated because  
21 of a change in the terms of the participation of  
22 such provider or facility in such plan or cov-  
23 erage; or

24 “(C) a contract between such group health  
25 plan and a health insurance issuer offering  
26 health insurance coverage in connection with

1           such plan is terminated, resulting in a loss of  
2           benefits provided under such plan with respect  
3           to such provider or facility;  
4           the plan or issuer, respectively, shall meet the re-  
5           quirements of paragraph (2) with respect to such in-  
6           dividual.

7           “(2) REQUIREMENTS.—The requirements of  
8           this paragraph are that the plan or issuer—

9                   “(A) notify each individual enrolled under  
10                   such plan or coverage who is a continuing care  
11                   patient with respect to a provider or facility at  
12                   the time of a termination described in para-  
13                   graph (1) affecting such provider or facility on  
14                   a timely basis of such termination and such in-  
15                   dividual’s right to elect continued transitional  
16                   care from such provider or facility under this  
17                   section;

18                   “(B) provide such individual with an op-  
19                   portunity to notify the plan or issuer of the in-  
20                   dividual’s need for transitional care; and

21                   “(C) permit the patient to elect to continue  
22                   to have benefits provided under such plan or  
23                   such coverage, under the same terms and condi-  
24                   tions as would have applied and with respect to  
25                   such items and services as would have been cov-

1           ered under such plan or coverage had such ter-  
2           mination not occurred, with respect to the  
3           course of treatment furnished by such provider  
4           or facility relating to such individual's status as  
5           a continuing care patient during the period be-  
6           ginning on the date on which the notice under  
7           subparagraph (A) is provided and ending on the  
8           earlier of—

9                   “(i) the 90-day period beginning on  
10                   such date; or

11                   “(ii) the date on which such individual  
12                   is no longer a continuing care patient with  
13                   respect to such provider or facility.

14           “(b) DEFINITIONS.—In this section:

15                   “(1) CONTINUING CARE PATIENT.—The term  
16                   ‘continuing care patient’ means an individual who,  
17                   with respect to a provider or facility—

18                   “(A) is undergoing a course of treatment  
19                   for a serious and complex condition from the  
20                   provider or facility;

21                   “(B) is undergoing a course of institu-  
22                   tional or inpatient care from the provider or fa-  
23                   cility;

24                   “(C) is scheduled to undergo nonelective  
25                   surgery from the provider, including receipt of

1 postoperative care from such provider or facility  
2 with respect to such a surgery;

3 “(D) is pregnant and undergoing a course  
4 of treatment for the pregnancy from the pro-  
5 vider or facility; or

6 “(E) is or was determined to be terminally  
7 ill (as determined under section 1861(dd)(3)(A)  
8 of the Social Security Act) and is receiving  
9 treatment for such illness from such provider or  
10 facility.

11 “(2) SERIOUS AND COMPLEX CONDITION.—The  
12 term ‘serious and complex condition’ means, with re-  
13 spect to a participant, beneficiary, or enrollee under  
14 a group health plan or health insurance coverage—

15 “(A) in the case of an acute illness, a con-  
16 dition that is serious enough to require special-  
17 ized medical treatment to avoid the reasonable  
18 possibility of death or permanent harm; or

19 “(B) in the case of a chronic illness or con-  
20 dition, a condition that is—

21 “(i) is life-threatening, degenerative,  
22 potentially disabling, or congenital; and

23 “(ii) requires specialized medical care  
24 over a prolonged period of time.

1           “(3) TERMINATED.—The term ‘terminated’ in-  
2           cludes, with respect to a contract, the expiration or  
3           nonrenewal of the contract, but does not include a  
4           termination of the contract for failure to meet appli-  
5           cable quality standards or for fraud.

6   **“SEC. 2731. INFORMATION REQUIRED TO BE INCLUDED ON**  
7                           **HEALTH INSURANCE MEMBERSHIP CARDS.**

8           “In the case of a group health plan or health insur-  
9           ance issuer offering group or individual health insurance  
10          coverage that provides a physical or electronic card indi-  
11          cating membership in such plan or coverage to an indi-  
12          vidual enrolled under such plan or coverage, such group  
13          health plan or issuer shall include on such card each of  
14          the following:

15               “(1) The nearest hospital to the primary resi-  
16               dence of such individual that has in effect a contrac-  
17               tual relationship with such plan or coverage for fur-  
18               nishing items and services under such plan or cov-  
19               erage.

20               “(2) A telephone number or Internet website  
21               address through which such individual may seek con-  
22               sumer assistance information, such as information  
23               related to hospitals and urgent care facilities that  
24               have in effect a contractual relationship with such