

1 *restrict the choice of a qualified individual to en-*
2 *roll or not to enroll in a qualified health plan*
3 *or to participate in an Exchange.*

4 (B) *PROHIBITION AGAINST COMPELLED EN-*
5 *ROLLMENT.—Nothing in this title shall be con-*
6 *strued to compel an individual to enroll in a*
7 *qualified health plan or to participate in an Ex-*
8 *change.*

9 (C) *INDIVIDUALS ALLOWED TO ENROLL IN*
10 *ANY PLAN.—A qualified individual may enroll*
11 *in any qualified health plan, except that in the*
12 *case of a catastrophic plan described in section*
13 *1302(e), a qualified individual may enroll in the*
14 *plan only if the individual is eligible to enroll in*
15 *the plan under section 1302(e)(2).*

16 (D) *MEMBERS OF CONGRESS IN THE EX-*
17 *CHANGE.—*

18 (i) *REQUIREMENT.—Notwithstanding*
19 *any other provision of law, after the effec-*
20 *tive date of this subtitle, the only health*
21 *plans that the Federal Government may*
22 *make available to Members of Congress and*
23 *congressional staff with respect to their serv-*
24 *ice as a Member of Congress or congress-*
25 *ional staff shall be health plans that are—*

1 (I) created under this Act (or an
2 amendment made by this Act); or

3 (II) offered through an Exchange
4 established under this Act (or an
5 amendment made by this Act).

6 (ii) DEFINITIONS.—In this section:

7 (I) MEMBER OF CONGRESS.—The
8 term “Member of Congress” means any
9 member of the House of Representa-
10 tives or the Senate.

11 (II) CONGRESSIONAL STAFF.—The
12 term “congressional staff” means all
13 full-time and part-time employees em-
14 ployed by the official office of a Mem-
15 ber of Congress, whether in Wash-
16 ington, DC or outside of Washington,
17 DC.

18 (4) NO PENALTY FOR TRANSFERRING TO MIN-
19 IMUM ESSENTIAL COVERAGE OUTSIDE EXCHANGE.—
20 An Exchange, or a qualified health plan offered
21 through an Exchange, shall not impose any penalty
22 or other fee on an individual who cancels enrollment
23 in a plan because the individual becomes eligible for
24 minimum essential coverage (as defined in section
25 5000A(f) of the Internal Revenue Code of 1986 with-