

**AMENDMENT**  
**OFFERED BY MR. DOGGETT OF TEXAS**

At the end, add the following:

1 **SEC. 5. MAINTENANCE OF PROHIBITION ON PRE-EXISTING**  
2 **CONDITIONS.**

3 Notwithstanding any other provision of this Act, if  
4 the issuer of any plan which would (but for this section)  
5 be treated as a high deductible health plan by reason of  
6 the amendment made by section 2 offers any plan that  
7 does not comply with section 2701, 2704, or 2705 of the  
8 Public Health Service Act by reason of variance in pre-  
9 mium, or other discrimination, on the basis of pre-existing  
10 condition or health status, then the Internal Revenue Code  
11 of 1986 shall be applied and administered, to plans in tax-  
12 able year ending after the date such a plan that does not  
13 comply is first offered, as if the provisions of, and amend-  
14 ments made by, this Act had never been enacted.

