

Note: The information in this document has been superseded by BAL 13-207.

Fact Sheet

Health Insurance Coverage: Members of Congress and Congressional Staff

- The Affordable Care Act includes a provision which requires that Members of Congress and congressional staff employed by the official office of a Member of Congress may only obtain coverage by health plans created under the Act or through coverage offered via an Affordable Insurance Exchange (Exchanges).
- This proposed rule is being published to implement the requirement that Members of Congress and congressional staff be enrolled in Exchange plans as of January 1, 2014.
- Members of Congress and their staff will no longer be eligible for FEHB coverage as of January 1, 2014.
- The Act defines “congressional staff” as all full-time and part-time employees employed by the official office of a Member of Congress.
- Because there is not an existing statutory or regulatory definition, OPM believes Congress is best able to make the determination as to whether an individual is employed by the “official office” of the Member of Congress
- Under the proposed rule, Congress designates which employees are eligible for FEHB coverage by October of the year before the coverage year so individuals know whether, during open enrollment, to participate in the appropriate state Exchange or the FEHB Program for the following year. For this year (2013) only, the deadline may be extended for up to 30 days.
- The designation will be effective for the entire calendar year during which the staff member works for that Member of Congress.
- Members of Congress and their staff who are no longer eligible to enroll in an FEHB health plan will continue to receive a government contribution toward the cost of their premiums for qualified health plans purchased on the Exchanges. This contribution will be based on the government contribution provided for FEHB coverage. OPM will apply the employer contribution amounts up to 75 percent of the total cost of the health plan premium on the Exchange plan premium, the same as for an FEHB health plan premium..
- Members of Congress and their staff who purchase health insurance coverage on the Exchanges will be eligible to carry that coverage, with the government contribution, into retirement pursuant to the same eligibility requirement for FEHB enrollees.