

*Kirsten Gillibrand*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To create a point of order against legislation that makes women sick again.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

**S. Con. Res. 3**

<b>AMENDMENT N<sup>o</sup> 0082</b>	United States
By <u>Gillibrand</u>	ting forth the
To: _____	years 2018
<u>S con Res 3</u>	_____ and
<u>3</u>	inted
Page(s)	GILLIBRAND
<small>GPO: 2016 22-945 (mac)</small>	

Viz:

- 1 At the end of title IV, add the following:
- 2 **SEC. 4\_\_ . DON'T MAKE WOMEN SICK AGAIN.**
- 3 (a) POINT OF ORDER.—It shall not be in order in
- 4 the Senate to consider any bill, joint resolution, motion,
- 5 amendment, amendment between the Houses, or con-
- 6 ference report that makes women sick again by elimi-
- 7 nating or reducing access to women's health care, includ-
- 8 ing decreases in access to, or coverage of, reproductive
- 9 health care services including contraceptive counseling,
- 10 birth control, and maternity care, and primary and pre-
- 11 ventive health care as afforded to them under the Patient

*Hirono  
Murray  
Hassan  
Blumenthal  
Shaheen  
Feinstein  
Schumer*

1 Protection and Affordable Care Act (Public Law 111-  
2 148).

3 (b) LEGISLATION THAT MAKES WOMEN SICK  
4 AGAIN.—For the purposes of subsection (a), the term  
5 “makes women sick again” with respect to legislation re-  
6 fers to any provision of a bill, joint resolution, motion,  
7 amendment, amendment between the Houses, or con-  
8 ference report, that would—

9 (1) allow insurance companies to discriminate  
10 against women by—

11 (A) charging women higher premiums for  
12 health care based on their gender;

13 (B) allowing pregnancy to be used as a  
14 pre-existing condition by which to deny women  
15 coverage;

16 (C) permitting discrimination against pro-  
17 viders who provide reproductive health care  
18 benefits or services to women; or

19 (D) otherwise discriminating against  
20 women based on their gender;

21 (2) reduce the number of women enrolled in  
22 health insurance coverage, as certified by the Con-  
23 gressional Budget Office; or

24 (3) eliminate, or reduce the scope or scale of,  
25 the benefits women would have received pursuant to

1       the requirements under title I of the Patient Protec-  
2       tion and Affordable Care Act (Public Law 111-148)  
3       and the amendments made to that title.

4       (c) WAIVER AND APPEAL.—Subsection (a) may be  
5       waived or suspended in the Senate only by an affirmative  
6       vote of three-fifths of the Members, duly chosen and  
7       sworn. An affirmative vote of three-fifths of the Members  
8       of the Senate, duly chosen and sworn, shall be required  
9       to sustain an appeal of the ruling of the Chair on a point  
10      of order raised under subsection (a).