

113TH CONGRESS
1ST SESSION

H. R. 2951

To require certain preconditions for allowing premium tax credits, reductions in cost-sharing, and funding of Navigators and related Exchange enrollment activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2013

Mrs. McMORRIS RODGERS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require certain preconditions for allowing premium tax credits, reductions in cost-sharing, and funding of Navigators and related Exchange enrollment activities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PRECONDITIONS FOR PREMIUM TAX CREDITS,**
2 **REDUCTIONS IN COST-SHARING, AND FUND-**
3 **ING OF NAVIGATORS AND RELATED EX-**
4 **CHANGE ENROLLMENT ACTIVITIES.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, no premium tax credit shall be allowed under
7 section 36B of the Internal Revenue Code of 1986, no re-
8 duction in cost-sharing shall be allowed under section
9 1402 of the Patient Protection and Affordable Care Act
10 (42 U.S.C. 18071), and no funds may be awarded under
11 section 1311 of such Act (42 U.S.C. 18031) for the oper-
12 ation of a Navigator program under subsection (i) of such
13 section or for facilitation or advocacy for enrollment under
14 subsections (d)(6)(B) and (E) of such section, until—

15 (1) 1 year after the date the Secretary certifies
16 to Congress that the ACA verification methods (as
17 defined in subsection (c)(1))—

18 (A) have been tested to verify their accu-
19 racy; and

20 (B) have safeguards in place to protect
21 personally identifiable information; and

22 (2) the Inspector General of the Department of
23 Health and Human Services reviews such
24 verification methods and certifies to Congress—

25 (A) the quality, accuracy, response time,
26 and integrity of such verification methods; and

1 (B) that the level of improper subsidy pay-
2 ments is not likely to exceed 3 percent of the
3 level of the total subsidy payments (as defined
4 in subsection (c)(3)).

5 (b) SUBSEQUENT ANNUAL CERTIFICATION OF
6 VERIFICATION METHODS.—

7 (1) IN GENERAL.—The Inspector General of
8 the Department of Health and Human Services shall
9 annually review the quality, accuracy, response time,
10 and integrity of the ACA verification methods in
11 order to determine the level of improper subsidy pay-
12 ments as a percentage of the level of total subsidy
13 payments.

14 (2) SUSPENSION IF EXCESSIVE IMPROPER SUB-
15 SIDY PAYMENTS.—If the Inspector General deter-
16 mines for a year as a result of such review that the
17 level of improper subsidy payments is projected to
18 exceed 3 percent of the level of total subsidy pay-
19 ments, for years beginning after the date of such de-
20 termination awards shall be suspended until such
21 time as the Secretary and the Inspector General cer-
22 tify that the level of improper subsidy payments is
23 not likely to exceed 3 percent of the level of total
24 subsidy payment.

25 (c) DEFINITIONS.—In this section:

1 (1) The term “ACA verification methods”
2 means the verification methods required under sub-
3 sections (c)(4) and (d) of section 1411 of the Pa-
4 tient Protection and Affordable Care Act (42 U.S.C.
5 18081).

6 (2) The term “Secretary” means the Secretary
7 of Health and Human Services, acting in consulta-
8 tion with the Secretary of the Treasury and other
9 appropriate Federal officials in implementing section
10 1411 of the Patient Protection and Affordable Care
11 Act (42 U.S.C. 18081).

12 (3) The term “subsidy payments” means pre-
13 mium tax credits allowed under section 36B of the
14 Internal Revenue Code of 1986 and reductions in
15 cost-sharing effected under section 1402 of the Pa-
16 tient Protection and Affordable Care Act (42 U.S.C.
17 18071).

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