

115TH CONGRESS
1ST SESSION

H. R. 2581

To amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2017

Mr. BARLETTA (for himself, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mrs. NOEM, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, Mr. ROGERS of Alabama, Mr. MCKINLEY, and Mr. McCAUL) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Verify First Act”.

1 **SEC. 2. VERIFICATION OF STATUS IN UNITED STATES AS**
2 **CONDITION OF RECEIVING ADVANCE PAY-**
3 **MENT OF HEALTH INSURANCE PREMIUM TAX**
4 **CREDIT.**

5 (a) APPLICATION TO CURRENT HEALTH INSURANCE
6 PREMIUM TAX CREDIT.—Section 36B of the Internal
7 Revenue Code of 1986, as in effect for months beginning
8 before January 1, 2020, is amended by redesignating sub-
9 section (g) as subsection (h) and by inserting after sub-
10 section (f) the following new subsection:

11 “(g) VERIFICATION OF STATUS IN UNITED STATES
12 FOR ADVANCE PAYMENT.—No advance payment of the
13 credit allowed under this section with respect to any pre-
14 mium under subsection (b)(2)(A) with respect to any indi-
15 vidual shall be made under section 1412 of the Patient
16 Protection and Affordable Care Act unless the Secretary
17 has received confirmation from the Secretary of Health
18 and Human Services that the Commissioner of Social Se-
19 curity or the Secretary of Homeland Security has verified
20 under section 1411(c)(2) of such Act the individual’s sta-
21 tus as a citizen or national of the United States or an
22 alien lawfully present in the United States using a process
23 that includes the appropriate use of information related
24 to citizenship or immigration status, such as social secu-
25 rity account numbers (but not individual taxpayer identi-
26 fication numbers).”.

1 (b) APPLICATION TO NEW HEALTH INSURANCE PRE-
2 MIUM TAX CREDIT.—Section 36B of the Internal Revenue
3 Code of 1986, as amended by the American Health Care
4 Act of 2017 and in effect for months beginning after De-
5 cember 31, 2019, is amended by adding at the end the
6 following new subsection:

7 “(h) VERIFICATION OF STATUS IN UNITED STATES
8 FOR ADVANCE PAYMENT.—No advance payment of the
9 credit allowed under this section with respect to any
10 amount under subparagraph (A) or (B) of subsection
11 (b)(1) with respect to any individual shall be made under
12 section 1412 of the Patient Protection and Affordable
13 Care Act unless the Secretary has received confirmation
14 from the Secretary of Health and Human Services that
15 the Commissioner of Social Security or the Secretary of
16 Homeland Security has verified under section 1411(c)(2)
17 of such Act the individual’s status as a citizen or national
18 of the United States or a qualified alien (within the mean-
19 ing of section 431 of the Personal Responsibility and Work
20 Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641))
21 using a process that includes the appropriate use of infor-
22 mation related to citizenship or immigration status, such
23 as social security account numbers (but not individual tax-
24 payer identification numbers).”.

1 (c) CONFORMING AMENDMENT ON CONTINUOUS
2 HEALTH INSURANCE COVERAGE PROVISION.—Section
3 2710A(b)(1) of the Public Health Service Act, as added
4 by section 133 of the American Health Care Act of 2017,
5 is amended by adding after subparagraph (C) the fol-
6 lowing:

7 “In the case of an individual who applies for ad-
8 vance payment of a credit under section 1412 of the
9 Patient Protection and Affordable Care Act and for
10 whom a determination of eligibility for such advance
11 payment is delayed by reason of the requirement for
12 verification of the individual’s status in the United
13 States under section 1411(c)(2) of such Act, the pe-
14 riod of days beginning with the date of application
15 for advance payment and ending with the date of
16 such verification shall not be taken into account in
17 applying subparagraph (B). The Secretary shall es-
18 tablish a procedure by which information relating to
19 this period is provided to the individual.”.

20 (d) DELAY PERMITTED IN COVERAGE DATE IN CASE
21 OF DELAY IN VERIFICATION OF STATUS FOR INDIVID-
22 UALS APPLYING FOR ADVANCE PAYMENT OF CREDIT.—
23 Section 1411(e) of the Patient Protection and Affordable
24 Care Act (42 U.S.C. 18081(e)) is amended—

1 (1) in paragraph (3), by inserting after “appli-
2 cant’s eligibility” the following: “(other than eligi-
3 bility for advance payment of a credit under section
4 1412)”; and

5 (2) by adding at the end the following new
6 paragraph:

7 “(5) DELAY PERMITTED IN COVERAGE DATE IN
8 CASE OF DELAY IN VERIFICATION OF STATUS FOR
9 INDIVIDUALS APPLYING FOR ADVANCE PAYMENT OF
10 CREDIT.—In the case of an individual whose eligi-
11 bility for advance payments is delayed by reason of
12 the requirement for verification under subsection
13 (c)(2), if, for coverage to be effective as of the date
14 requested in the individual’s application for enroll-
15 ment, the individual would (but for this paragraph)
16 be required to pay 2 or more months of retroactive
17 premiums, the individual shall be provided the op-
18 tion to elect to postpone the effective date of cov-
19 erage to the date that is not more than 1 month
20 later than the date requested in the individual’s ap-
21 plication for enrollment.”.

22 (e) EFFECTIVE DATES.—

23 (1) APPLICATION TO CURRENT HEALTH INSUR-
24 ANCE PREMIUM TAX CREDIT.—The amendment
25 made by this section is contingent upon the enact-

1 ment of the American Health Care Act of 2017 and
2 shall apply (if at all) to months beginning after De-
3 cember 31, 2017.

4 (2) APPLICATION TO NEW HEALTH INSURANCE
5 PREMIUM TAX CREDIT.—The amendment made by
6 subsection (b) is contingent upon the enactment of
7 the American Health Care Act of 2017 and shall
8 apply (if at all) to months beginning after December
9 31, 2019, in taxable years ending after such date.

10 (3) CONFORMING AMENDMENT ON CONTINUOUS
11 HEALTH INSURANCE COVERAGE PROVISION.—The
12 amendment made by subsection (c) is contingent
13 upon the enactment of the American Health Care
14 Act of 2017 and shall take effect (if at all) as if in-
15 cluded in such Act.

16 (4) FLEXIBILITY IN COVERAGE DATE IN CASE
17 OF DELAY IN VERIFICATION OF STATUS.—The
18 amendment made by subsection (d) is contingent
19 upon the enactment of the American Health Care
20 Act of 2017 and shall apply (if at all) to applications
21 for advance payments for months beginning after
22 December 31, 2017.

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