

115TH CONGRESS  
1ST SESSION

# H. R. 2581

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IN THE SENATE OF THE UNITED STATES

JUNE 14, 2017

Received; read twice and referred to the Committee on Finance

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

13 “(g) VERIFICATION OF STATUS IN UNITED STATES  
14 FOR ADVANCE PAYMENT.—No advance payment of the  
15 credit allowed under this section with respect to any pre-  
16 mium under subsection (b)(2)(A) with respect to any indi-  
17 vidual shall be made under section 1412 of the Patient  
18 Protection and Affordable Care Act unless the Secretary  
19 has received confirmation from the Secretary of Health  
20 and Human Services that the Commissioner of Social Se-  
21 curity or the Secretary of Homeland Security has verified  
22 under section 1411(c)(2) of such Act the individual’s sta-  
23 tus as a citizen or national of the United States or an  
24 alien lawfully present in the United States using a process  
25 that includes the appropriate use of information related  
26 to citizenship or immigration status, such as social secu-

1 rity account numbers (but not individual taxpayer identi-  
2 fication numbers).”.

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

9 “(h) VERIFICATION OF STATUS IN UNITED STATES  
10 FOR ADVANCE PAYMENT.—No advance payment of the  
11 credit allowed under this section with respect to any  
12 amount under subparagraph (A) or (B) of subsection  
13 (b)(1) with respect to any individual shall be made under  
14 section 1412 of the Patient Protection and Affordable  
15 Care Act unless the Secretary has received confirmation  
16 from the Secretary of Health and Human Services that  
17 the Commissioner of Social Security or the Secretary of  
18 Homeland Security has verified under section 1411(c)(2)  
19 of such Act the individual’s status as a citizen or national  
20 of the United States or a qualified alien (within the mean-  
21 ing of section 431 of the Personal Responsibility and Work  
22 Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641))  
23 using a process that includes the appropriate use of infor-  
24 mation related to citizenship or immigration status, such

1 as social security account numbers (but not individual tax-  
2 payer identification numbers).”.

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

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

22 (d) DELAY PERMITTED IN COVERAGE DATE IN CASE  
23 OF DELAY IN VERIFICATION OF STATUS FOR INDIVID-  
24 UALS APPLYING FOR ADVANCE PAYMENT OF CREDIT.—

1 Section 1411(e) of the Patient Protection and Affordable  
2 Care Act (42 U.S.C. 18081(e)) is amended—

3 (1) in paragraph (3), by inserting after “appli-  
4 cant’s eligibility” the following: “(other than eligi-  
5 bility for advance payment of a credit under section  
6 1412)”; and

7 (2) by adding at the end the following new  
8 paragraph:

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

24 (e) EFFECTIVE DATES.—

1           (1) APPLICATION TO CURRENT HEALTH INSUR-  
2           ANCE PREMIUM TAX CREDIT.—The amendment  
3           made by subsection (a) is contingent upon the enact-  
4           ment of the American Health Care Act of 2017 and  
5           shall apply (if at all) to months beginning after De-  
6           cember 31, 2017.

7           (2) APPLICATION TO NEW HEALTH INSURANCE  
8           PREMIUM TAX CREDIT.—The amendment made by  
9           subsection (b) is contingent upon the enactment of  
10          the American Health Care Act of 2017 and shall  
11          apply (if at all) to months beginning after December  
12          31, 2019, in taxable years ending after such date.

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

19          (4) FLEXIBILITY IN COVERAGE DATE IN CASE  
20          OF DELAY IN VERIFICATION OF STATUS.—The  
21          amendment made by subsection (d) is contingent  
22          upon the enactment of the American Health Care  
23          Act of 2017 and shall apply (if at all) to applications

1 for advance payments for months beginning after  
2 December 31, 2017.

Passed the House of Representatives June 13, 2017.

Attest: KAREN L. HAAS,  
*Clerk.*