

.....  
(Original Signature of Member)

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

Mr. BARLETTA introduced the following bill; which was referred to the Committee on \_\_\_\_\_

---

## 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.