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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To delay and offset the sequester to occur in January 2022 under the
Statutory Pay-As-You-Go Act of 2010, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Missouri introduced the following bill; which was referred to the
Committee on _____

A BILL

To delay and offset the sequester to occur in January 2022
under the Statutory Pay-As-You-Go Act of 2010, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Removing Waste and
5 Protecting Medicare Act”.

6 **SEC. 2. PAYGO ACT SEQUESTER DELAY.**

7 No sequester shall be ordered during calendar year
8 2022 after Congress adjourns to end the 1st session of

1 the 117th Congress under section 5 of the Statutory Pay-
2 As-You-Go Act of 2010.

3 **SEC. 3. OFFSET OF SEQUESTER DELAY.**

4 (a) REINSTATEMENT OF PUBLIC CHARGE RULE.—

5 The rule relating to inadmissibility on public charge
6 grounds (84 Fed. Reg. 41292, published on August 14,
7 2019) as in effect on October 15, 2019, shall be consid-
8 ered to be in effect as of the date of enactment of this
9 Act, and the Department of Homeland Security shall re-
10 implement such rule as soon as may be practicable.

11 (b) SOCIAL SECURITY NUMBER REQUIREMENTS FOR
12 CHILD TAX CREDIT.—

13 (1) IN GENERAL.—Section 24(e) of the Internal
14 Revenue Code of 1986 is amended to read as fol-
15 lows:

16 “(e) SOCIAL SECURITY NUMBER REQUIREMENTS.—

17 “(1) TAXPAYER.—No credit shall be allowed
18 under this section to any taxpayer who does not in-
19 clude on the return of tax for the taxable year—

20 “(A) such individual’s social security num-
21 ber, and

22 “(B) if the individual is married, the social
23 security number of such individual’s spouse.

24 “(2) QUALIFYING CHILDREN.—No credit shall
25 be allowed under this section to a taxpayer with re-

1 spect to any qualifying child unless the taxpayer in-
2 cludes the social security number of such child on
3 the return of tax for the taxable year.

4 “(3) SOCIAL SECURITY NUMBER.—For pur-
5 poses of this subsection, the term ‘social security
6 number’ means a social security number issued to an
7 individual by the Social Security Administration, but
8 only if the social security number is issued—

9 “(A) to a citizen of the United States or
10 pursuant to subclause (I) (or that portion of
11 subclause (III) that relates to subclause (I)) of
12 section 205(c)(2)(B)(i) of the Social Security
13 Act, and

14 “(B) before the due date of the return of
15 tax referred to in paragraph (1) or (2), as the
16 case may be.”.

17 (2) CONFORMING AMENDMENT.—Section 24(h)
18 of such Code is amended by striking paragraph (7).

19 (3) EFFECTIVE DATE.—The amendments made
20 by this subsection shall apply to taxable years begin-
21 ning after December 31, 2021.

22 (c) REINSTATEMENT OF SNAP WORK REQUIRE-
23 MENT RULE.—The rule relating to work requirements
24 under the Supplemental Nutrition Assistance Program
25 (84 Fed. Reg. 66782, published on December 5, 2019)

1 as in effect on April 1, 2020, shall be considered to be
2 in effect as of the date of enactment of this Act, and the
3 Department of Agriculture shall reimplement such rule as
4 soon as may be practicable.

5 (d) RESCISSION OF CORONAVIRUS STATE AND LOCAL
6 FISCAL RECOVERY FUNDS.—Of the total amount of unob-
7 ligated amounts available under sections 602 and 603 of
8 title VI of the Social Security Act, \$53,500,000,000 are
9 hereby permanently rescinded.

10 (e) RESCISSION OF CAPITAL PROJECTS FUNDS.—
11 The total amount of unobligated amounts available under
12 section 604 of title VI of the Social Security Act are here-
13 by permanently rescinded.

14 **SEC. 4. ADJUSTMENTS TO MEDICARE PROGRAM SEQUES-**
15 **TRATION REDUCTION WITH RESPECT TO FIS-**
16 **CAL YEAR 2022.**

17 (a) EXTENSION.—

18 (1) IN GENERAL.—Section 3709(a) of division
19 A of the CARES Act (2 U.S.C. 901a note) is
20 amended by striking “December 31, 2021” and in-
21 sserting “March 31, 2022”.

22 (2) EFFECTIVE DATE.—The amendments made
23 by paragraph (1) shall take effect as if enacted as
24 part of the CARES Act (Public Law 116–136).

1 (b) ADJUSTMENT.—Section 251A(6) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985 (2
3 U.S.C. 901a(6)) is amended—

4 (1) by redesignating subparagraph (C) as sub-
5 paragraph (D); and

6 (2) by inserting after subparagraph (B) the fol-
7 lowing:

8 “(C) Notwithstanding the 2 percent limit
9 specified in subparagraph (A) for payments for
10 the Medicare programs specified in section
11 256(d), the sequestration order of the President
12 under such subparagraph for fiscal year 2022
13 shall be applied to such payments so that with
14 respect to the period beginning on April 1,
15 2022, and ending on June 30, 2022, the pay-
16 ment reduction shall be 1.0 percent.”.

17 **SEC. 5. EXTENSION OF SUPPORT FOR PHYSICIANS AND**
18 **OTHER PROFESSIONALS IN ADJUSTING TO**
19 **MEDICARE PAYMENT CHANGES.**

20 (a) IN GENERAL.—Section 1848 of the Social Secu-
21 rity Act (42 U.S.C. 1395w-4) is amended—

22 (1) in subsection (c)(2)(B)(iv)(V), by striking
23 “2021” and inserting “2021 or 2022”; and

24 (2) in subsection (t)—

1 (A) in the subsection header, by striking
2 “2021” and inserting “2021 AND 2022”;

3 (B) in paragraph (1)—

4 (i) by striking “during 2021” and in-
5 serting “during 2021 and 2022”; and

6 (ii) by striking “for such services fur-
7 nished on or after January 1, 2021, and
8 before January 1, 2022, by 3.75 percent.”
9 and inserting “for—

10 “(A) such services furnished on or after
11 January 1, 2021, and before January 1, 2022,
12 by 3.75 percent; and

13 “(B) such services furnished on or after
14 January 1, 2022, and before January 1, 2023,
15 by 3.0 percent.”; and

16 (C) in paragraph (2)(C)—

17 (i) in the subparagraph header, by
18 striking “2021” and inserting “2021 AND
19 2022”;

20 (ii) by inserting “for services fur-
21 nished in 2021 or 2022” after “under this
22 subsection”; and

23 (iii) by inserting “or 2022, respec-
24 tively” before the period at the end.

1 (b) REPORT.—Section 101(e) of division N of the
2 Consolidated Appropriations Act, 2021 (Public Law 116–
3 260) is amended—

4 (1) in the first sentence—

5 (A) by striking “April 1, 2022” and insert-
6 ing “each of April 1, 2022, and April 1, 2023”;
7 and

8 (B) by striking “, as added by subsection
9 (a)” and inserting “furnished during 2021 or
10 2022, respectively”; and

11 (2) in the second sentence—

12 (A) by striking “Such report” and insert-
13 ing “Each such report”; and

14 (B) by inserting “with respect to 2021 or
15 2022, as applicable” after “under such sec-
16 tion”.

17 **SEC. 6. PRESERVING PATIENT ACCESS TO CRITICAL CLIN-**
18 **ICAL LAB SERVICES.**

19 (a) REVISED PHASE-IN OF REDUCTIONS FROM PRI-
20 VATE PAYOR RATE IMPLEMENTATION.—Section
21 1834A(b)(3) of the Social Security Act (42 U.S.C.
22 1395m–1(b)(3)) is amended—

23 (1) in subparagraph (A), by striking “through
24 2024” and inserting “through 2025”; and

25 (2) in subparagraph (B)—

1 (A) in clause (ii), by striking “for 2021”
2 and inserting “for each of 2021 and 2022”;
3 and

4 (B) in clause (iii), by striking “2022
5 through 2024” and inserting “2023 through
6 2025”.

7 (b) REVISED REPORTING PERIOD FOR REPORTING
8 OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISH-
9 MENT OF MEDICARE PAYMENT RATES.—Section
10 1834A(a)(1)(B) of the Social Security Act (42 U.S.C.
11 1395m–1(a)(1)(B)) is amended—

12 (1) in clause (i), by striking “December 31,
13 2021” and inserting “December 31, 2022”; and

14 (2) in clause (ii)—

15 (A) by striking “January 1, 2022” and in-
16 serting “January 1, 2023”; and

17 (B) by striking “March 31, 2022” and in-
18 serting “March 31, 2023”.

19 **SEC. 7. DELAY TO THE IMPLEMENTATION OF THE RADI-**
20 **ATION ONCOLOGY MODEL UNDER THE MEDI-**
21 **CARE PROGRAM.**

22 Section 133 of Division CC of the Consolidated Ap-
23 propriations Act, 2021 (Public Law 116–260) is amended
24 by striking “January 1, 2022” and inserting “January 1,
25 2023”.

1 **SEC. 8. MEDICARE IMPROVEMENT FUND.**

2 Section 1898(b)(1) of the Social Security Act (42
3 U.S.C. 1395iii(b)(1)) is amended by striking “fiscal year
4 2021” and all that follows through the period at the end
5 and inserting “fiscal year 2021, \$102,000,000.”.