

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the application of a 5-year waiting period for certain eligibility for tax credits and cost sharing subsidies under the Patient Protection and Affordable Care Act.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. HATCH (for himself and Mr. RUBIO)

Viz:

1 On page 981, line 7, strike “(5)” and insert the fol-
 2 lowing:
 3 “(5) APPLICATION OF WAITING PERIODS FOR
 4 PURPOSES OF PPACA.—The provisions of section
 5 403(a) of the Personal Responsibility and Work Op-
 6 portunity Reconciliation Act of 1996 shall apply to
 7 an alien who has been granted registered provisional
 8 immigrant status, with respect to eligibility for tax
 9 credits under section 36B of the Internal Revenue
 10 Code of 1986 and cost sharing assistance under sec-

1 tion 1402 of the Patient Protection and Affordable
2 Care Act, beginning on the date on which such alien
3 becomes an alien lawfully admitted for permanent
4 residence under section 245C.

5 “(6)

6 On page 1061, line 13, strike “(5)” and insert the
7 following:

8 (5) APPLICATION OF WAITING PERIODS FOR
9 PURPOSES OF PPACA.—The provisions of section
10 403(a) of the Personal Responsibility and Work Op-
11 portunity Reconciliation Act of 1996 shall apply to
12 a noncitizen who has been granted blue card status,
13 with respect to eligibility for tax credits under sec-
14 tion 36B of the Internal Revenue Code of 1986 and
15 cost sharing assistance under section 1402 of the
16 Patient Protection and Affordable Care Act, begin-
17 ning on the date on which such noncitizen becomes
18 an alien lawfully admitted for permanent residence
19 under section 245C of the Immigration and Nation-
20 ality Act, as added by section 2102 of this Act.

21 (6)

22 Beginning on page 1220, strike line 10 and all that
23 follows through page 1221, line 5, and insert the following:

1 (c) PUBLIC BENEFITS.—

2 (1) IN GENERAL.—An alien who is lawfully
3 present in the United States in any nonimmigrant
4 status—

5 (A) is not entitled to the premium assist-
6 ance tax credit authorized under section 36B of
7 the Internal Revenue Code of 1986 for his or
8 her coverage;

9 (B) shall be subject to the rules applicable
10 to individuals not lawfully present that are set
11 forth in subsection (e) of such section;

12 (C) shall be subject to the rules applicable
13 to individuals not lawfully present that are set
14 forth in section 1402(e) of the Patient Protec-
15 tion and Affordable Care Act (42 U.S.C.
16 18071); and

17 (D) shall be subject to the rules applicable
18 to individuals not lawfully present set forth in
19 section 5000A(d)(3) of the Internal Revenue
20 Code of 1986.

21 (2) APPLICATION OF WAITING PERIODS FOR
22 PURPOSES OF PPACA.—The provisions of section
23 403(a) of the Personal Responsibility and Work Op-
24 portunity Reconciliation Act of 1996 shall apply to
25 an alien described in paragraph (1), with respect to

1 eligibility for tax credits under section 36B of the
2 Internal Revenue Code of 1986 and cost sharing as-
3 sistance under section 1402 of the Patient Protec-
4 tion and Affordable Care Act, beginning on the date
5 on which such alien becomes an alien lawfully admit-
6 ted for permanent residence under section 245C of
7 the Immigration and Nationality Act, as added by
8 section 2102 of this Act.