

117TH CONGRESS  
1ST SESSION

# H. R. 6144

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.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2021

Mr. SMITH of Missouri (for himself, Mr. BRADY, Mrs. RODGERS of Washington, Mr. BURGESS, Mr. WENSTRUP, Mr. BUCSHON, Mr. CARTER of Georgia, Mr. HARRIS, Mr. VAN DREW, Mr. MURPHY of North Carolina, and Mr. JOYCE of Pennsylvania) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Budget, Energy and Commerce, the Judiciary, Agriculture, and Oversight and Reform, 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

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## 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”.

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

2 No sequester shall be ordered during calendar year  
3 2022 after Congress adjourns to end the 1st session of  
4 the 117th Congress under section 5 of the Statutory Pay-  
5 As-You-Go Act of 2010.

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

7 (a) REINSTATEMENT OF PUBLIC CHARGE RULE.—

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

14 (b) SOCIAL SECURITY NUMBER REQUIREMENTS FOR  
15 CHILD TAX CREDIT.—

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

19 “(e) SOCIAL SECURITY NUMBER REQUIREMENTS.—

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

23 “(A) such individual’s social security num-  
24 ber, and

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

1           “(2) QUALIFYING CHILDREN.—No credit shall  
2           be allowed under this section to a taxpayer with re-  
3           spect to any qualifying child unless the taxpayer in-  
4           cludes the social security number of such child on  
5           the return of tax for the taxable year.

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

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

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

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

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

24           (c) REINSTATEMENT OF SNAP WORK REQUIRE-  
25           MENT RULE.—The rule relating to work requirements

1 under the Supplemental Nutrition Assistance Program  
2 (84 Fed. Reg. 66782, published on December 5, 2019)  
3 as in effect on April 1, 2020, shall be considered to be  
4 in effect as of the date of enactment of this Act, and the  
5 Department of Agriculture shall reimplement such rule as  
6 soon as may be practicable.

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

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

16 **SEC. 4. ADJUSTMENTS TO MEDICARE PROGRAM SEQUE-**  
17 **TRATION REDUCTION WITH RESPECT TO FIS-**  
18 **CAL YEAR 2022.**

19 (a) EXTENSION.—

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

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

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

7           (1) by redesignating subparagraph (C) as sub-  
8           paragraph (D); and

9           (2) by inserting after subparagraph (B) the fol-  
10          lowing:

11                       “(C) Notwithstanding the 2 percent limit  
12                       specified in subparagraph (A) for payments for  
13                       the Medicare programs specified in section  
14                       256(d), the sequestration order of the President  
15                       under such subparagraph for fiscal year 2022  
16                       shall be applied to such payments so that with  
17                       respect to the period beginning on April 1,  
18                       2022, and ending on June 30, 2022, the pay-  
19                       ment reduction shall be 1.0 percent.”.

20 **SEC. 5. EXTENSION OF SUPPORT FOR PHYSICIANS AND**  
21                       **OTHER PROFESSIONALS IN ADJUSTING TO**  
22                       **MEDICARE PAYMENT CHANGES.**

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

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

3 (2) in subsection (t)—

4 (A) in the subsection header, by striking  
5 “2021” and inserting “2021 AND 2022”;

6 (B) in paragraph (1)—

7 (i) by striking “during 2021” and in-  
8 serting “during 2021 and 2022”; and

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

13 “(A) such services furnished on or after  
14 January 1, 2021, and before January 1, 2022,  
15 by 3.75 percent; and

16 “(B) such services furnished on or after  
17 January 1, 2022, and before January 1, 2023,  
18 by 3.0 percent.”; and

19 (C) in paragraph (2)(C)—

20 (i) in the subparagraph header, by  
21 striking “2021” and inserting “2021 AND  
22 2022”;

23 (ii) by inserting “for services fur-  
24 nished in 2021 or 2022” after “under this  
25 subsection”; and

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

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

6 (1) in the first sentence—

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

10 (B) by striking “, as added by subsection  
11 (a)” and inserting “furnished during 2021 or  
12 2022, respectively”; and

13 (2) in the second sentence—

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

16 (B) by inserting “with respect to 2021 or  
17 2022, as applicable” after “under such sec-  
18 tion”.

19 **SEC. 6. PRESERVING PATIENT ACCESS TO CRITICAL CLIN-**  
20 **ICAL LAB SERVICES.**

21 (a) REVISED PHASE-IN OF REDUCTIONS FROM PRI-  
22 VATE PAYOR RATE IMPLEMENTATION.—Section  
23 1834A(b)(3) of the Social Security Act (42 U.S.C.  
24 1395m–1(b)(3)) is amended—

1 (1) in subparagraph (A), by striking “through  
2 2024” and inserting “through 2025”; and

3 (2) in subparagraph (B)—

4 (A) in clause (ii), by striking “for 2021”  
5 and inserting “for each of 2021 and 2022”;  
6 and

7 (B) in clause (iii), by striking “2022  
8 through 2024” and inserting “2023 through  
9 2025”.

10 (b) REVISED REPORTING PERIOD FOR REPORTING  
11 OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISH-  
12 MENT OF MEDICARE PAYMENT RATES.—Section  
13 1834A(a)(1)(B) of the Social Security Act (42 U.S.C.  
14 1395m–1(a)(1)(B)) is amended—

15 (1) in clause (i), by striking “December 31,  
16 2021” and inserting “December 31, 2022”; and

17 (2) in clause (ii)—

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

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



1 **SEC. 7. DELAY TO THE IMPLEMENTATION OF THE RADI-**  
2 **ATION ONCOLOGY MODEL UNDER THE MEDI-**  
3 **CARE PROGRAM.**

4 Section 133 of Division CC of the Consolidated Ap-  
5 propriations Act, 2021 (Public Law 116–260) is amended  
6 by striking “January 1, 2022” and inserting “January 1,  
7 2023”.

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

9 Section 1898(b)(1) of the Social Security Act (42  
10 U.S.C. 1395iii(b)(1)) is amended by striking “fiscal year  
11 2021” and all that follows through the period at the end  
12 and inserting “fiscal year 2021, \$102,000,000.”.

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