H. R. 1601

To amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2013

Mr. Grijalva (for himself, Ms. Chu, Mr. Conyers, Ms. Norton, Ms. Lee of California, Ms. Schakowsky, and Mr. Serrano) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Supplemental Security Income Restoration Act of 2013”.

SEC. 2. UPDATE IN ELIGIBILITY FOR THE SUPPLEMENTAL SECURITY INCOME PROGRAM.

(a) UPDATE IN GENERAL INCOME EXCLUSION.—

Section 1612(b)(2)(A) of the Social Security Act (42
U.S.C. 1382a(b)(2)(A)) is amended by striking “$240” and inserting “$1,320 (increased as described in section 1617(d) for each calendar year after 2015)”.

(b) **UPDATE IN EARNED INCOME EXCLUSION.**—Section 1612(b)(4) of such Act (42 U.S.C. 1382a(b)(4)) is amended by striking “$780” each place it appears and inserting “$4,284 (increased as described in section 1617(d) for each calendar year after 2015)”.

(c) **UPDATE IN RESOURCE LIMIT FOR INDIVIDUALS AND COUPLES.**—Section 1611(a)(3) of such Act (42 U.S.C. 1382(a)(3)) is amended—

(1) in subparagraph (A), by striking “$2,250” and all that follows through the end of the subpara-graph and inserting “$15,000 in calendar year 2015, and shall be increased as described in section 1617(d) for each subsequent calendar year.”; and

(2) in subparagraph (B), by striking “$1,500” and all that follows through the end of the subpara-graph and inserting “$10,000 in calendar year 2015, and shall be increased as described in section 1617(d) for each subsequent calendar year.”.

(d) **INFLATION ADJUSTMENT.**—Section 1617 of such Act (42 U.S.C. 1382f) is amended—

(1) in the section heading, by inserting “; inflation adjustment” after “benefits”; and
(2) by adding at the end the following:

“(d) In the case of any calendar year after 2015, each
1 of the amounts specified in sections 1611(a)(3),
2 1612(b)(2)(A), and 1612(b)(4) shall be increased by mul-
3 tiplying each such amount by the quotient (not less than
4 1) obtained by dividing—
5
“(1) the average of the Consumer Price Index
6 for Urban Wage Earners and Clerical Workers
7 (CPI–W, as published by the Bureau of Labor Sta-
8 tistics of the Department of Labor) for the 12-
9 month period ending with September of the pre-
10 ceding calendar year, by
11
“(2) such average for the 12-month period end-
12 ing with September 2014.”.

SEC. 3. SUPPORT AND MAINTENANCE FURNISHED IN KIND

NOT INCLUDED AS INCOME.

(a) In General.—Section 1612(a)(2) of such Act

(42 U.S.C. 1382a(a)(2)) is amended—

(1) by inserting “(other than support or main-

tenance furnished in kind)” after “all other income”; and

(2) in subparagraph (A)—

(A) by striking “or kind”;
(B) by striking clause (i) and redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(C) in clause (ii) (as so redesignated), by striking “and the provisions of clause (i) shall not be applicable”.

(b) CONFORMING AMENDMENTS.—

(1) Section 1611(c) of such Act (42 U.S.C. 1382(c)) is amended by striking paragraph (6) and redesignating paragraphs (7) through (10) as paragraphs (6) through (9), respectively.

(2) Section 1612(a)(2) of such Act (42 U.S.C. 1382a(a)(2)) is amended—

(A) in subparagraph (F), by inserting “and” at the end;

(B) in subparagraph (G), by striking “; and” and inserting a period;

(C) by moving subparagraph (G) 2 ems to the right; and

(D) by striking subparagraph (H).

(3) Section 1621(c) of such Act (42 U.S.C. 1382j(c)) is amended to read as follows:

“(c) In determining the amount of income of an alien during the period of 5 years after such alien’s entry into the United States, support or maintenance furnished in
cash to the alien by such alien’s sponsor (to the extent that it reflects income or resources which were taken into account in determining the amount of income and resources to be deemed to the alien under subsection (a) or (b) of this section) shall not be considered to be income of such alien under section 1612(a)(2)(A).”.

SEC. 4. REPEAL OF PENALTY FOR DISPOSAL OF RESOURCES FOR LESS THAN FAIR MARKET VALUE.

Section 1613(c) of such Act (42 U.S.C. 1382b(c)) is amended to read as follows:

“(c) NOTIFICATION OF MEDICAID POLICY RESTRICTING ELIGIBILITY OF INSTITUTIONALIZED INDIVIDUALS FOR BENEFITS BASED ON DISPOSAL OF RESOURCES FOR LESS THAN FAIR MARKET VALUE.—(1) At the time an individual (and the individual’s eligible spouse, if any) applies for benefits under this title, and at the time the eligibility of an individual (and such spouse, if any) for such benefits is redetermined, the Commissioner of Social Security shall—

“(A) inform such individual of the provisions of section 1917(c) providing for a period of ineligibility for benefits under title XIX for individuals who make certain dispositions of resources for less than fair market value, and inform such individual that
information obtained pursuant to subparagraph (B) will be made available to the State agency administering a State plan under title XIX (as provided in paragraph (2)); and

“(B) obtain from such individual information which may be used by the State agency in determining whether or not a period of ineligibility for such benefits would be required by reason of section 1917(e).

“(2) The Commissioner of Social Security shall make the information obtained under paragraph (1)(B) available, on request, to any State agency administering a State plan approved under title XIX.”.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect on January 1, 2015.