

112TH CONGRESS  
1ST SESSION

# S. 1378

To ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

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IN THE SENATE OF THE UNITED STATES

JULY 18, 2011

Mr. NELSON of Nebraska introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

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 “Savings Through Eligi-  
5 bility Fairness Act”.

1 **SEC. 2. INCLUSION OF SOCIAL SECURITY AND TIER 1 RAIL-**  
 2 **ROAD RETIREMENT BENEFITS IN CALCULA-**  
 3 **TIONS OF MODIFIED ADJUSTED GROSS IN-**  
 4 **COME.**

5 (a) IN GENERAL.—Subparagraph (B) of section  
 6 36B(d)(2) of the Internal Revenue Code of 1986 is  
 7 amended—

8 (1) in clause (i), by striking “and” after the  
 9 comma;

10 (2) in clause (ii), by striking the period at the  
 11 end and inserting “, and”; and

12 (3) by adding at the end the following:

13 “(iii) an amount equal to the portion  
 14 of the taxpayer’s social security benefits  
 15 (as defined in section 86(d)) which is not  
 16 included in gross income under section 86  
 17 for the taxable year.”.

18 (b) REQUIRING SAVINGS TO BE USED FOR DEFICIT  
 19 REDUCTION.—

20 (1) PAYGO SCORECARD.—The budgetary ef-  
 21 fects of this Act shall not be entered on either  
 22 PAYGO scorecard maintained pursuant to section  
 23 4(d) of the Statutory Pay-As-You-Go Act of 2010.

24 (2) SENATE PAYGO SCORECARD.—The budg-  
 25 etary effects of this Act shall not be recorded on any

1 PAYGO scorecard maintained for purposes of sec-  
2 tion 201 of S. Con. Res. 21 (110th Congress).

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this Act shall apply to taxable years ending after Decem-  
5 ber 31, 2013.

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