

113TH CONGRESS
1ST SESSION

H. R. 3791

To amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for health insurance premiums.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2013

Mr. FATAH introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for health insurance premiums.

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 “Health Premium Par-
5 ity Act”.

6 **SEC. 2. DEDUCTION FOR HEALTH INSURANCE PREMIUMS.**

7 (a) IN GENERAL.—Part VII of subchapter B of chap-
8 ter 1 of the Internal Revenue Code of 1986 (relating to
9 additional itemized deductions for individuals) is amended

1 by redesignating section 224 as section 225 and by insert-
2 ing after section 223 the following new section:

3 **“SEC. 224. HEALTH INSURANCE PREMIUMS.**

4 “(a) IN GENERAL.—In the case of an individual,
5 there shall be allowed as a deduction an amount equal to
6 the amount paid during the taxable year for insurance
7 which constitutes medical care for—

8 “(1) the taxpayer,

9 “(2) the taxpayer’s spouse,

10 “(3) the taxpayer’s dependents, and

11 “(4) any child (as defined in section 152(f)(1))
12 of the taxpayer who as of the end of the taxable year
13 has not attained age 27.

14 “(b) LIMITATION ON OTHER COVERAGE.—

15 “(1) IN GENERAL.—Subsection (a) shall not
16 apply to any taxpayer for any calendar month for
17 which the taxpayer is eligible to participate in any
18 subsidized health plan maintained by any employer
19 of the taxpayer or of the spouse of, or any depend-
20 ent, or individual described in subsection (a)(4) with
21 respect to, the taxpayer. The preceding sentence
22 shall be applied separately with respect to—

23 “(A) plans which include coverage for
24 qualified long-term care services (as defined in
25 section 7702B(c)) or are qualified long-term

1 care insurance contracts (as defined in section
2 7702B(b)), and

3 “(B) plans which do not include such cov-
4 erage and are not such contracts.

5 “(2) LONG-TERM CARE PREMIUMS.—In the
6 case of a qualified long-term care insurance contract
7 (as defined in section 7702B(b)), only eligible long-
8 term care premiums (as defined in section
9 213(d)(10)) shall be taken into account under sub-
10 section (a).

11 “(c) COORDINATION WITH MEDICAL DEDUCTION,
12 ETC.—Any amount paid by a taxpayer for insurance to
13 which subsection (a) applies shall not be taken into ac-
14 count in computing the amount allowable to the taxpayer
15 as a deduction under section 213(a). Any amount taken
16 into account in determining the credit allowed under sec-
17 tion 35 or 36B shall not be taken into account for pur-
18 poses of this section.

19 “(d) DEDUCTION NOT ALLOWED FOR SELF-EM-
20 PLOYMENT TAX PURPOSES.—The deduction allowable by
21 reason of this section shall not be taken into account in
22 determining an individual’s net earnings from self-employ-
23 ment (within the meaning of section 1402(a)) for purposes
24 of chapter 2.”.

1 (b) DEDUCTION ALLOWED WHETHER OR NOT TAX-
2 PAYER ITEMIZES DEDUCTIONS.—Subsection (a) of section
3 62 of such Code is amended by inserting before the last
4 sentence the following new paragraph:

5 “(22) HEALTH INSURANCE PREMIUMS.—The
6 deduction allowed by section 224.”.

7 (c) CONFORMING AMENDMENTS.—

8 (1) Section 162 of such Code is amended by
9 striking subsection (l).

10 (2) The table of sections for part VII of sub-
11 chapter B of chapter 1 of such Code is amended by
12 redesignating the item relating to section 224 as an
13 item relating to section 225 and inserting before
14 such item the following new item:

“Sec. 224. Health insurance premiums.”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to taxable years beginning after
17 December 31, 2013.

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