

118TH CONGRESS
1ST SESSION

H. R. 5336

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services with respect to the determination of whether an individual is lawfully present in the United States for purposes of the eligibility of such individual for enrollment in certain health insurance programs.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 1, 2023

Mr. PFLUGER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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

A BILL

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services with respect to the determination of whether an individual is lawfully present in the United States for purposes of the eligibility of such individual for enrollment in certain health insurance programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON FINALIZING PROPOSED**
2 **RULE.**

3 The Secretary of Health and Human Services may
4 not finalize, implement, or enforce the proposed rule
5 issued by the Centers for Medicare & Medicaid Services
6 titled “Clarifying Eligibility for a Qualified Health Plan
7 Through an Exchange, Advance Payments of the Pre-
8 mium Tax Credit, Cost-Sharing Reductions, a Basic
9 Health Program, and for Some Medicaid and Children’s
10 Health Insurance Programs” (88 Fed. Reg. 25313–25335
11 (April 26, 2023)) or any substantially similar rule.

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