

113TH CONGRESS  
1ST SESSION

# H. R. 3474

To amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2013

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

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 “Hire More Heroes Act  
5 of 2013”.

1 **SEC. 2. EMPLOYEES WITH HEALTH COVERAGE UNDER**  
2 **TRICARE OR THE VETERANS ADMINISTRA-**  
3 **TION MAY BE EXEMPTED FROM EMPLOYER**  
4 **MANDATE UNDER PATIENT PROTECTION AND**  
5 **AFFORDABLE CARE ACT.**

6 (a) IN GENERAL.—Section 4980H(c)(2) of the Inter-  
7 nal Revenue Code is amended by adding at the end the  
8 following:

9 “(F) EXEMPTION FOR HEALTH COVERAGE  
10 UNDER TRICARE OR THE VETERANS ADMINIS-  
11 TRATION.—Solely for purposes of determining  
12 whether an employer is an applicable large em-  
13 ployer under this paragraph for any month, an  
14 employer may elect not to take into account for  
15 a month as an employee any individual who, for  
16 such month, has medical coverage under—

17 “(i) chapter 55 of title 10, United  
18 States Code, including coverage under the  
19 TRICARE program, or

20 “(ii) under a health care program  
21 under chapter 17 or 18 of title 38, United  
22 States Code, as determined by the Sec-  
23 retary of Veterans Affairs, in coordination  
24 with the Secretary of Health and Human  
25 Services and the Secretary.”.

1       (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) shall apply to months beginning after De-  
3 cember 31, 2013.

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