

118TH CONGRESS
2D SESSION

H. R. 8820

To amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for long-term care insurance premiums and to reduce certain tax credits.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2024

Mr. BURLISON 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 long-term care insurance premiums and to reduce certain tax credits.

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 “Improving Access to
5 Long-Term Care Insurance Act”.

6 **SEC. 2. DEDUCTION FOR LONG-TERM CARE INSURANCE**
7 **PREMIUMS.**

8 (a) DEDUCTION NOT SUBJECT TO MINIMUM
9 AMOUNT OF EXPENSES.—Section 213 of the Internal

1 Revenue Code of 1986 is amended by adding at the end
2 the following new subsection:

3 “(f) LONG-TERM CARE INSURANCE PREMIUMS NOT
4 SUBJECT TO MINIMUM AMOUNT OF EXPENSES.—In the
5 case of any eligible long-term care premiums taken into
6 account under subsection (a), such subsection shall be ap-
7 plied—

8 “(1) without regard to the phrase ‘to the extent
9 that such expenses exceed 7.5 percent of adjusted
10 gross income’ for purposes of determining the deduc-
11 tion allowed under such subsection for such pre-
12 miums, and

13 “(2) by taking such premiums into account for
14 purposes of determining whether a deduction is al-
15 lowed under such subsection with respect to any
16 other expenses paid for medical care.”.

17 (b) DEDUCTION ALLOWED WHETHER OR NOT TAX-
18 PAYER ITEMIZES DEDUCTIONS.—Section 62(a) of such
19 Code is amended by inserting after paragraph (21) the
20 following new paragraph:

21 “(22) DEDUCTION FOR LONG-TERM CARE IN-
22 SURANCE PREMIUMS.—The deduction allowed under
23 section 213 for eligible long-term care premiums (as
24 defined in section 213(d)(10)).”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 the date of the enactment of this Act.

4 **SEC. 3. REDUCTION OF CERTAIN TAX CREDITS.**

5 (a) IN GENERAL.—Part IV of subchapter A of chap-
6 ter 1 of the Internal Revenue Code of 1986 is amended
7 by adding at the end the following new subpart:

8 **“Subpart H—Reduction of Certain Credits**

“Sec. 54. Reduction of certain credits.

9 **“SEC. 54. REDUCTION OF CERTAIN CREDITS.**

10 “(a) IN GENERAL.—In the case of any specified cred-
11 it, the amount of such credit for any taxable year shall
12 be reduced by the applicable percentage (determined under
13 paragraph (2) with respect to such taxable year) of such
14 amount (determined without regard to this subsection).

15 “(b) APPLICABLE PERCENTAGE.—For purposes of
16 this section—

17 “(1) IN GENERAL.—The term ‘applicable per-
18 centage’ means, with respect to any taxable year the
19 due date (determined without regard to any exten-
20 sion) of the return of tax for which is during any fis-
21 cal year, the percentage which the Secretary esti-
22 mates will result in an increase in revenue to the
23 Treasury during such fiscal year which is equal to
24 the net decrease in revenue to the Treasury during

1 such fiscal year that the Secretary estimates will re-
2 sult from the amendments made by section 2 of the
3 Improving Access to Long-Term Care Insurance
4 Act. The applicable percentage determined under the
5 preceding sentence with respect to any taxable year
6 shall be made publicly available by the Secretary be-
7 fore the beginning of such taxable year.

8 “(2) METHODOLOGY.—The increase and de-
9 crease in revenue referred to in paragraph (1) shall
10 be determined, to the maximum extent practicable,
11 using the same methodology as is used by the Joint
12 Committee on Taxation to estimate the budgetary
13 effects of legislative proposals.

14 “(c) SPECIFIED CREDITS.—For purposes of this sec-
15 tion, the term ‘specified credits’ means the credits deter-
16 mined under sections 25C, 25D, 25E, 30B, 30C, 30D,
17 40A, 45, 45H, 45K, 45L, 45Q, 45Y, 48A, 48B, and
18 48E.”.

19 (b) CLERICAL AMENDMENT.—The table of subparts
20 for part IV of subchapter A of chapter 1 of such Code
21 is amended by adding at the end the following new item:

“SUBPART H—REDUCTION OF CERTAIN CREDITS”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable years beginning after
24 the date of the enactment of this Act.

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