

117TH CONGRESS  
2D SESSION

# H. R. 6474

To amend the Internal Revenue Code of 1986 to raise the limit on contributions to health savings accounts, to remove the requirement to maintain high deductible coverage with respect to such accounts, to include drugs and medicine as qualified medical expenses for the purposes of such accounts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2022

Ms. VAN DUYNE 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 raise the limit on contributions to health savings accounts, to remove the requirement to maintain high deductible coverage with respect to such accounts, to include drugs and medicine as qualified medical expenses for the purposes of such accounts, and for other purposes.

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 Savings Free-  
5       dom Act of 2022”.

1 **SEC. 2. HEALTH SAVINGS ACCOUNTS.**

2 (a) CONTRIBUTION LIMIT INCREASE.—

3 (1) INDIVIDUAL COVERAGE.—Section  
4 223(b)(2)(A) of the Internal Revenue Code of 1986  
5 is amended by striking “\$2,250” and inserting  
6 “\$6,000”.

7 (2) FAMILY COVERAGE.—Section 223(b)(2)(B)  
8 of such Code is amended by striking “\$4,500” and  
9 inserting “\$16,000”.

10 (b) REQUIREMENT TO MAINTAIN COVERAGE UNDER  
11 A HIGH DEDUCTIBLE PLAN REMOVED.—

12 (1) Section 223(c)(1) of the Internal Revenue  
13 Code of 1986 is amended to read as follows:

14 “(1) ELIGIBLE INDIVIDUAL.—

15 “(A) IN GENERAL.—The term ‘eligible in-  
16 dividual’ means, with respect to any month, any  
17 individual if such individual is covered under  
18 any health plan as of the 1st day of such  
19 month.

20 “(B) SPECIAL RULE FOR INDIVIDUALS EL-  
21 IGIBLE FOR CERTAIN VETERANS BENEFITS.—

22 An individual shall not fail to be treated as an  
23 eligible individual for any period merely because  
24 the individual receives hospital care or medical  
25 services under any law administered by the Sec-  
26 retary of Veterans Affairs for a service-con-

needed disability (within the meaning of section 101(16) of title 38, United States Code).

“(C) SPECIAL RULE FOR INDIVIDUALS RECEIVING BENEFITS SUBJECT TO SURPRISE BILLING STATUTES.—An individual shall not fail to be treated as an eligible individual for any period merely because the individual receives benefits for medical care subject to and in accordance with section 9816 or 9817, section 2799A–1 or 2799A–2 of the Public Health Service Act, or section 716 or 717 of the Employee Retirement Income Security Act of 1974, or any State law providing similar protections to such individual.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 223 of such Code is amended—

(i) in subsection (c), by striking paragraph (2),

(ii) by striking “high deductible” each place such term appears, and

(iii) in subsection (b)(8)(B), in the heading by striking “HIGH DEDUCTIBLE”.

(B) Section 106(e) of such Code is amended—

1 (i) in paragraph (3), in the heading  
 2 by striking “HIGH DEDUCTIBLE”, and

3 (ii) in paragraph (5)(B)(ii), by strik-  
 4 ing “high deductible”.

5 (C) Section 408(d)(9) of such Code is  
 6 amended—

7 (i) by striking “high deductible” each  
 8 place such term appears, and

9 (ii) in subparagraph (D), in the head-  
 10 ing by striking “HIGH DEDUCTIBLE”.

11 (D) Sections 1396e–1(b)(2)(B) and  
 12 1397ee(c)(10)(B)(ii)(II) are amended by strik-  
 13 ing “section 223(c)(2)” and inserting “section  
 14 220(c)(2)”.

15 (c) INCLUDING MEDICINE AND DRUGS AS QUALIFIED  
 16 MEDICAL EXPENSES.—

17 (1) Section 223(d)(2) of such Code is amended  
 18 to read as follows:

19 “(2) QUALIFIED MEDICAL EXPENSES.—The  
 20 term ‘qualified medical expenses’ means the fol-  
 21 lowing:

22 “(A) With respect to an account bene-  
 23 ficiary, amounts paid by such beneficiary for  
 24 any of the following for such individual, the  
 25 spouse of such individual, any dependent (as

defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof, or of such individual, but only to the extent such amounts are not compensated for by insurance or otherwise:

“(i) Medical care (as defined in section 213(d)).

“(ii) Medicine and drugs.

“(iii) A tampon, pad, liner, cup, sponge, or similar product used by individuals with respect to menstruation or other genital-tract secretions.

“(B) With respect to an account beneficiary, amounts paid by such beneficiary for long-term care expenses for a parent of such individual, but only to the extent such amounts are not compensated for by insurance or otherwise.”.

(2) CONFORMING AMENDMENT.—Section 223(c) of such Code is amended by striking paragraph (3).

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

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