

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4827
OFFERED BY Mr. Barton**

Add at the end of subtitle B of title I the following
(and conform the table of contents accordingly):

1 **SEC. 1108. FINANCIAL SUSTAINABILITY AND FISCAL SOL-**
2 **VENCY REQUIREMENT.**

3 The Patient Protection and Affordable Care Act is
4 amended by adding at the end the following new title:

5 **“TITLE XI—CERTIFICATION OF**
6 **FINANCIAL SUSTAINABILITY**
7 **AND FISCAL SOLVENCY**

8 **“SEC. 11101. FINANCIAL SUSTAINABILITY AND FISCAL SOL-**
9 **VENCY REQUIREMENT.**

10 “Notwithstanding any other provision of law, the pro-
11 visions of this Act (and the amendments made by this
12 Act), including any health insurance programs created,
13 run, or expanded by the government through this Act (or
14 the amendments made by this Act), shall not take effect
15 unless the actuary of the Department of Health and
16 Human Services and the actuary of the Social Security
17 Administration each independently certify, in testimony
18 before Congress and in an official report to Congress, that,

1 as of January 1, 2009, the Medicare program under title
2 XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)
3 and the Medicaid program under title XIX of such Act
4 (42 U.S.C. 1396 et seq.) are financially sustainable and
5 fiscally solvent through January 1, 2029.”.

