

1 **SEC. 826. ELECTRONIC REPORTING OF EARNINGS.**

2 (a) *IN GENERAL.*—Not later than September 30, 2017,  
3 the Commissioner of Social Security shall establish and im-  
4 plement a system that—

5 (1) allows an individual entitled to a monthly  
6 insurance benefit based on disability under title II of  
7 the Social Security Act (or a representative of the in-  
8 dividual) to report to the Commissioner the individ-  
9 ual's earnings derived from services through electronic  
10 means, including by telephone and Internet; and

11 (2) automatically issues a receipt to the indi-  
12 vidual (or representative) after receiving each such re-  
13 port.

14 (b) *SUPPLEMENTAL SECURITY INCOME REPORTING*  
15 *SYSTEM AS MODEL.*—The Commissioner shall model the  
16 system established under subsection (a) on the electronic  
17 wage reporting systems for recipients of supplemental secu-  
18 rity income under title XVI of such Act.

19 ***Subtitle C—Protecting Social***  
20 ***Security Benefits***

21 **SEC. 831. CLOSURE OF UNINTENDED LOOPHOLES.**

22 (a) *PRESUMED FILING OF APPLICATION BY INDIVID-*  
23 *UALS ELIGIBLE FOR OLD-AGE INSURANCE BENEFITS AND*  
24 *FOR WIFE'S OR HUSBAND'S INSURANCE BENEFITS.*—

25 (1) *IN GENERAL.*—Section 202(r) of the Social  
26 Security Act (42 U.S.C. 402(r)) is amended by strik-

1        *ing paragraphs (1) and (2) and inserting the fol-*  
2        *lowing:*

3            *“(1) If an individual is eligible for a wife’s or*  
4        *husband’s insurance benefit (except in the case of eli-*  
5        *gibility pursuant to clause (ii) of subsection (b)(1)(B)*  
6        *or subsection (c)(1)(B), as appropriate), in any*  
7        *month for which the individual is entitled to an old-*  
8        *age insurance benefit, such individual shall be deemed*  
9        *to have filed an application for wife’s or husband’s*  
10       *insurance benefits for such month.*

11           *“(2) If an individual is eligible (but for section*  
12        *202(k)(4)) for an old-age insurance benefit in any*  
13        *month for which the individual is entitled to a wife’s*  
14        *or husband’s insurance benefit (except in the case of*  
15        *entitlement pursuant to clause (ii) of subsection*  
16        *(b)(1)(B) or subsection (c)(1)(B), as appropriate),*  
17        *such individual shall be deemed to have filed an ap-*  
18        *plication for old-age insurance benefits—*

19                *“(A) for such month, or*

20                *“(B) if such individual is also entitled to a*  
21        *disability insurance benefit for such month, in*  
22        *the first subsequent month for which such indi-*  
23        *vidual is not entitled to a disability insurance*  
24        *benefit.”.*

1           (2) *CONFORMING AMENDMENT.*—Section 202 of  
2           the Social Security Act (42 U.S.C. 402) is amended—

3                   (A) in subsection (b)(1), by striking sub-  
4                   paragraph (B) and inserting the following:

5                   “(B)(i) has attained age 62, or

6                   “(ii) in the case of a wife, has in her care (indi-  
7                   vidually or jointly with such individual) at the time  
8                   of filing such application a child entitled to a child’s  
9                   insurance benefit on the basis of the wages and self-  
10                  employment income of such individual,”; and

11                  (B) in subsection (c)(1), by striking sub-  
12                  paragraph (B) and inserting the following:

13                  “(B)(i) has attained age 62, or

14                  “(ii) in the case of a husband, has in his care  
15                  (individually or jointly with such individual) at the  
16                  time of filing such application a child entitled to a  
17                  child’s insurance benefit on the basis of the wages and  
18                  self-employment income of such individual,”.

19           (3) *EFFECTIVE DATE.*—The amendments made  
20           by this subsection shall apply with respect to individ-  
21           uals who attain age 62 in any calendar year after  
22           2015.

23           (b) *VOLUNTARY SUSPENSION OF BENEFITS.*—

1           (1) *IN GENERAL.*—Section 202 of the Social Se-  
2           curity Act (42 U.S.C. 402) is amended by adding at  
3           the end the following:

4           “(z) *VOLUNTARY SUSPENSION.*—(1)(A) *Except as oth-*  
5           *erwise provided in this subsection, any individual who has*  
6           *attained retirement age (as defined in section 216(l)) and*  
7           *is entitled to old-age insurance benefits may request that*  
8           *payment of such benefits be suspended—*

9                     “(i) *beginning with the month following the*  
10                    *month in which such request is received by the*  
11                    *Commissioner, and*

12                    “(ii) *ending with the earlier of the month*  
13                    *following the month in which a request by the*  
14                    *individual for a resumption of such benefits is so*  
15                    *received or the month following the month in*  
16                    *which the individual attains the age of 70.*

17           “(2) *An individual may not suspend such benefits*  
18           *under this subsection, and any suspension of such benefits*  
19           *under this subsection shall end, effective with respect to any*  
20           *month in which the individual becomes subject to—*

21                    “(A) *mandatory suspension of such benefits*  
22                    *under section 202(x);*

23                    “(B) *termination of such benefits under section*  
24                    *202(n);*

1           “(C) a penalty under section 1129A imposing  
2           nonpayment of such benefits; or

3           “(D) any other withholding, in whole or in part,  
4           of such benefits under any other provision of law that  
5           authorizes recovery of a debt by withholding such ben-  
6           efits.

7           “(3) In the case of an individual who requests that  
8           such benefits be suspended under this subsection, for any  
9           month during the period in which the suspension is in ef-  
10          fect—

11           “(A) no retroactive benefits (as defined in sub-  
12           section (j)(4)(B)(iii)) shall be payable to such indi-  
13           vidual;

14           “(B) no monthly benefit shall be payable to any  
15           other individual on the basis of such individual’s  
16           wages and self-employment income; and

17           “(C) no monthly benefit shall be payable to such  
18           individual on the basis of another individual’s wages  
19           and self-employment income.”.

20           (2)       CONFORMING       AMENDMENT.—Section  
21           202(w)(2)(B)(ii) of the Social Security Act (42  
22           U.S.C. 402(w)(2)(B)(ii)) is amended by inserting  
23           “under section 202(z)” after “request”.

24           (3)       EFFECTIVE DATE.—The amendments made  
25           by this subsection shall apply with respect to requests

1        *for benefit suspension submitted beginning at least*  
2        *180 days after the date of the enactment of this Act.*

3        **SEC. 832. REQUIREMENT FOR MEDICAL REVIEW.**

4        *(a) IN GENERAL.—Section 221(h) of the Social Secu-*  
5        *urity Act (42 U.S.C. 421(h)) is amended to read as follows:*

6        *“(h) An initial determination under subsection (a),*  
7        *(c), (g), or (i) shall not be made until the Commissioner*  
8        *of Social Security has made every reasonable effort to en-*  
9        *sure—*

10        *“(1) in any case where there is evidence which*  
11        *indicates the existence of a mental impairment, that*  
12        *a qualified psychiatrist or psychologist has completed*  
13        *the medical portion of the case review and any appli-*  
14        *cable residual functional capacity assessment; and*

15        *“(2) in any case where there is evidence which*  
16        *indicates the existence of a physical impairment, that*  
17        *a qualified physician has completed the medical por-*  
18        *tion of the case review and any applicable residual*  
19        *functional capacity assessment.”.*

20        *(b) EFFECTIVE DATE.—The amendment made by sub-*  
21        *section (a) shall apply with respect to determinations of dis-*  
22        *ability made on or after the date that is 1 year after the*  
23        *date of the enactment of this Act.*