

106TH CONGRESS
2D SESSION

H. R. 4932

To amend titles XIX and XXI of the Social Security Act to expand access
of children to health care.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2000

Mr. KLINK introduced the following bill; which was referred to the Committee
on Commerce

A BILL

To amend titles XIX and XXI of the Social Security Act
to expand access of children to health care.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Medikid Health Care Expansion Act of 2000”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Permitting States to increase SCHIP eligibility to up to 250 percent of
poverty line.

Sec. 3. Allowing higher income families to buy into program.

Sec. 4. Simplified outreach and enrollment.

Sec. 5. Expediting eligibility process.

Sec. 6. Availability of enrollment performance incentive bonuses from reallocation.

Sec. 7. Encouraging school-based outreach.

Sec. 8. Extending authorization of graduate medical education funding for children's hospitals.

Sec. 9. Optional coverage of low-income, uninsured pregnant women under a state child health plan.

1 **SEC. 2. PERMITTING STATES TO INCREASE SCHIP ELIGI-**
 2 **BILITY TO UP TO 250 PERCENT OF POVERTY**
 3 **LINE.**

4 (a) IN GENERAL.—Section 2110(c)(4) of the Social
 5 Security Act (42 U.S.C. 1397jj(c)(4)) is amended by in-
 6 serting “(or, at the option of the State, a higher percent
 7 not to exceed 250 percent)” after “200 percent”.

8 (b) EFFECTIVE DATE.—The amendment made by
 9 subsection (a) takes effect as of the date of the enactment
 10 of this Act.

11 **SEC. 3. ALLOWING HIGHER INCOME FAMILIES TO BUY INTO**
 12 **PROGRAM.**

13 Title XXI of the Social Security Act is amended by
 14 adding at the end the following new section:

15 **“SEC. 2111. OPTIONAL STATE BUY-IN PERMITTED FOR**
 16 **OTHER CHILDREN.**

17 “Nothing in this title shall be construed as preventing
 18 a State from permitting families of children who are not
 19 low-income children to enroll in the State child health plan
 20 in return for payment of such premium as the State may
 21 establish.”.

1 **SEC. 4. SIMPLIFIED OUTREACH AND ENROLLMENT.**

2 Section 2102 of the Social Security Act (42 U.S.C.
3 1397bb) is amended by adding at the end the following
4 new subsection:

5 “(d) DEVELOPMENT AND USE OF UNIFORM APPLI-
6 CATION FORMS AND COORDINATED ENROLLMENT PROC-
7 ESS.—A State child health plan shall provide, by not later
8 than the first day of the first month that begins more than
9 6 months after the date of the enactment of this sub-
10 section, for—

11 “(1) the development and use of a uniform, sim-
12 plified application form which is used both for pur-
13 poses of establishing eligibility for benefits under
14 this title and also under title XIX; and

15 “(2) an enrollment process that is coordinated
16 with that under title XIX so that a family need only
17 interact with a single agency in order to determine
18 whether a child is eligible for benefits under this
19 title or title XIX.”.

20 **SEC. 5. EXPEDITING ELIGIBILITY PROCESS.**

21 (a) APPLICATION OF PRESUMPTIVE ELIGIBILITY
22 UNDER SCHIP AND REDUCTION OF STATE MATCH FOR
23 OUTREACH IF ELECT PRESUMPTIVE ELIGIBILITY.—

24 (1) IN GENERAL.—Section 2102 of the Social
25 Security Act (42 U.S.C. 1397bb), as amended by

1 section 4, is further amended by adding at the end
2 the following new subsection:

3 “(e) APPLICATION OF PRESUMPTIVE ELIGIBILITY
4 PROVISIONS.—A State may elect to apply the provisions
5 of section 1920A under this title in the same manner as
6 the State may elect to apply such provisions under title
7 XIX.”.

8 (2) REDUCTION OF STATE MATCHING REQUIRE-
9 MENT.—Section 2105 of such Act (42 U.S.C.
10 1397ee) is amended—

11 (A) in subsection (b), by inserting “subject
12 to subsection (g),” after “For purposes of sub-
13 section (a),”; and

14 (B) by adding at the end the following new
15 subsection:

16 “(g) 90 PERCENT FEDERAL MATCH FOR ADDI-
17 TIONAL OUTREACH EXPENDITURES IF STATE ELECTS TO
18 USE PRESUMPTIVE ELIGIBILITY FOR BOTH MEDICAID
19 AND SCHIP.—The enhanced FMAP with respect to child
20 health assistance for outreach services described in section
21 2102(c)(1) for a State shall be, with respect to expendi-
22 tures for such services above the level of such expenditures
23 in fiscal year 2000, equal to 90 percent if the State has
24 both—

1 “(1) elected to apply the provisions of section
2 1920A under title XIX for the entire fiscal year; and

3 “(2) elected under section 2102(e) to apply the
4 provisions of section 1920A under this title for the
5 entire fiscal year.”.

6 (3) EFFECTIVE DATE.—The amendments made
7 by this subsection take effect on the date of the en-
8 actment of this Act and apply to fiscal years begin-
9 ning on or after such date.

10 (b) CLARIFICATION OF USE OF SCHIP FUNDS TO
11 PROVIDE ENROLLING CENTERS WITH INCENTIVES TO
12 ENROLL LOW-INCOME CHILDREN.—

13 (1) IN GENERAL.—Section 2105 of such Act
14 (42 U.S.C. 1397ee), as amended by subsection (b),
15 is further amended—

16 (A) in subsection (g), by inserting “and for
17 expenditures described in subsection (h)” after
18 “described in section 2102(c)(1)”; and

19 (B) by adding at the end the following new
20 subsection:

21 “(h) TREATMENT OF ENROLLMENT INCENTIVES.—
22 Reasonable expenditures to enrolling centers to provide an
23 incentive to enroll targeted low-income children under this
24 title shall be treated as reasonable costs incurred by the

1 State to administer the plan for purposes of subsection
2 (a)(2)(D).”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by paragraph (1) apply to expenditures made on or
5 after the date of the enactment of this Act.

6 **SEC. 6. AVAILABILITY OF ENROLLMENT PERFORMANCE IN-**
7 **CENTIVE BONUSES FROM REALLOTMENT.**

8 Section 2105 of the Social Security Act (42 U.S.C.
9 1397ee), as amended by section 5(a)(2), is amended by
10 adding at the end the following new subsection:

11 “(h) ENROLLMENT PERFORMANCE INCENTIVE
12 BONUS PAYMENTS.—

13 “(1) IN GENERAL.—In the case of a bonus eli-
14 gible State described in paragraph (2), the Secretary
15 shall pay to the State, from the amount of an allot-
16 ment redistributed to the State under section
17 2104(f) during a fiscal year (beginning with fiscal
18 year 2001), an incentive performance bonus pay-
19 ment equal to such percent (not less than 2 percent,
20 and not to exceed 5 percent) of the amount of such
21 allotment as the Secretary determines appropriate
22 based on the State’s performance in meeting or ex-
23 ceeding objectives referred to in paragraph (2)(B).

1 “(2) BONUS ELIGIBLE STATE.—A bonus eligible
2 State described in this paragraph for a fiscal year is
3 a State that—

4 “(A) has not had any allotment for any
5 previous fiscal year redistributed to another
6 State under section 2104(f); and

7 “(B) meets or exceeds reasonable objec-
8 tives established by the Secretary for the enroll-
9 ment of low-income children under this title
10 (and title XIX).

11 “(3) TREATMENT OF PAYMENT.—The amount
12 paid under paragraph (1)—

13 “(A) shall be paid without the need for any
14 non-Federal contribution under subsection (a);

15 “(B) may be used for any expenditures
16 permitted under subsection (b)(1) and without
17 regard to any limitations under paragraphs (2)
18 and (3) of subsection (b); but

19 “(C) may not be included in determining
20 the amount of non-Federal contributions other-
21 wise required under subsection (a).”.

22 **SEC. 7. ENCOURAGING SCHOOL-BASED OUTREACH.**

23 (a) IN GENERAL.—Section 2102(c)(1) of such Act
24 (42 U.S.C. 1397bb(c)(1)) is amended by adding at the end
25 the following: “Such outreach shall include school-based

1 programs targeted at schools with high rates of uninsured
2 children.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) takes effect on October 1, 2000.

5 **SEC. 8. EXTENDING AUTHORIZATION OF GRADUATE MED-**
6 **ICAL EDUCATION FUNDING FOR CHILDREN’S**
7 **HOSPITALS.**

8 Section 340E of the Public Health Service Act (42
9 U.S.C. 256e) is amended—

10 (1) in subsection (a), by striking “and 2001”
11 and inserting “through 2005”; and

12 (2) in subsection (f)—

13 (A) in paragraph (1)(A)(ii), by striking
14 “for fiscal year 2001” and inserting “for each
15 of fiscal years 2001 through 2005”;

16 (B) in paragraph (1)(B), by striking “for
17 fiscal year 2000 shall remain available for obli-
18 gation through the end of fiscal year 2001” and
19 inserting “for a fiscal year shall remain avail-
20 able for obligation through the end of the suc-
21 ceeding fiscal year”; and

22 (C) in paragraph (2)(B), by striking “for
23 fiscal year 2001” and inserting “for each of fis-
24 cal years 2001 through 2005”.

1 **SEC. 9. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**
2 **SURED PREGNANT WOMEN UNDER A STATE**
3 **CHILD HEALTH PLAN.**

4 (a) IN GENERAL.—Title XXI of the Social Security
5 Act, as amended by section 3, is further amended by add-
6 ing at the end the following new section:

7 **“SEC. 2112. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**
8 **SURED PREGNANT WOMEN.**

9 “(a) OPTIONAL COVERAGE.—Notwithstanding any
10 other provision of this title, a State child health plan may
11 provide for coverage of pregnancy-related assistance for
12 targeted low-income pregnant women in accordance with
13 this section, but only if the State has established an in-
14 come eligibility level under section 1902(l)(2)(A) for
15 women described in section 1902(l)(1)(A) that is 185 per-
16 cent of the income official poverty line.

17 “(b) DEFINITIONS.—For purposes of this section:

18 “(1) PREGNANCY-RELATED ASSISTANCE.—The
19 term ‘pregnancy-related assistance’ has the meaning
20 given the term child health assistance in section
21 2110(a) as if any reference to targeted low-income
22 children were a reference to targeted low-income
23 pregnant women, except that the assistance shall be
24 limited to services related to pregnancy (which in-
25 clude prenatal, delivery, and postpartum services)
26 and to other conditions that may complicate preg-

1 nancy and shall not include prepregnancy services
2 and supplies.

3 “(2) TARGETED LOW-INCOME PREGNANT
4 WOMAN.—The term ‘targeted low-income pregnant
5 woman’ has the meaning given the term ‘targeted
6 low-income child’ in section 2110(b) as if any ref-
7 erence to a child were deemed a reference to a
8 woman during pregnancy and through the end of the
9 month in which the 60-day period (beginning on the
10 last day of her pregnancy) ends.

11 “(c) REFERENCES TO TERMS AND SPECIAL
12 RULES.—In the case of, and with respect to, a State pro-
13 viding for coverage of pregnancy-related assistance to tar-
14 geted low-income pregnant women under subsection (a),
15 the following special rules apply:

16 “(1) Any reference in this title (other than sub-
17 section (b)) to a targeted low-income child is deemed
18 to include a reference to a targeted low-income preg-
19 nant woman.

20 “(2) Any such reference to child health assist-
21 ance with respect to such women is deemed a ref-
22 erence to pregnancy-related assistance.

23 “(3) Any such reference to a child is deemed a
24 reference to a woman during pregnancy and the pe-
25 riod described in subsection (b)(2).

1 “(4) The medicaid applicable income level is
2 deemed a reference to the income level established
3 under section 1902(l)(2)(A).

4 “(5) Subsection (a) of section 2103 (relating to
5 required scope of health insurance coverage) shall
6 not apply insofar as a State limits coverage to serv-
7 ices described in subsection (b)(1) and the reference
8 to such section in section 2105(a)(1) is deemed not
9 to require, in such case, compliance with the require-
10 ments of section 2103(a).

11 “(6) There shall be no exclusion of benefits for
12 services described in subsection (b)(1) based on any
13 pre-existing condition and no waiting period (includ-
14 ing any waiting period imposed to carry out section
15 2102(b)(3)(C)) shall apply.

16 “(d) NO IMPACT ON ALLOTMENTS.—Nothing in this
17 section shall be construed as affecting the amount of any
18 initial allotment provided to a State under section
19 2104(b).

20 “(e) APPLICATION OF FUNDING RESTRICTIONS.—
21 The coverage under this section (and the funding of such
22 coverage) is subject to the restrictions of section 2105(c).

23 “(f) AUTOMATIC ENROLLMENT FOR CHILDREN
24 BORN TO WOMEN RECEIVING PREGNANCY-RELATED AS-
25 SISTANCE.—Notwithstanding any other provision of this

1 title or title XIX, if a child is born to a targeted low-in-
2 come pregnant woman who was receiving pregnancy-re-
3 lated assistance under this section on the date of the chil-
4 dren’s birth, the child shall be deemed to have applied for
5 child health assistance under the State child health plan
6 and to have been found eligible for such assistance under
7 such plan (or, in the case of a State that provides such
8 assistance through the provision of medical assistance
9 under a plan under title XIX, to have applied for medical
10 assistance under such title and to have been found eligible
11 for such assistance under such title) on the date of such
12 birth and to remain eligible for such assistance until the
13 child attains 1 year of age so long as the child is a member
14 of the woman’s household and the woman remains (or
15 would remain if pregnant) eligible for such assistance.
16 During the period in which a child is deemed under the
17 preceding sentence to be eligible for child health or med-
18 ical assistance, the child health or medical assistance eligi-
19 bility identification number of the mother shall also serve
20 as the identification number of the child, and all claims
21 shall be submitted and paid under such number (unless
22 the State issues a separate identification number for the
23 child before such period expires).”.

24 (b) STATE OPTION TO USE ENHANCED FMAP FOR
25 COVERAGE OF ADDITIONAL PREGNANT WOMEN UNDER

1 THE MEDICAID PROGRAM.—Section 1905 of the Social
2 Security Act (42 U.S.C. 1396d) is amended—

3 (1) in subsection (b), by inserting “and in the
4 case of a State plan that meets the condition de-
5 scribed in subsections (u)(1) and (u)(4)(A), with re-
6 spect to expenditures described in subsection
7 (u)(4)(B) for the State for a fiscal year” after “for
8 a fiscal year,”;

9 (2) by redesignating paragraph (4) of sub-
10 section (u) as paragraph (5); and

11 (3) by inserting after paragraph (3) of sub-
12 section (u) the following new paragraph:

13 “(4)(A) The condition described in this subparagraph
14 for a State plan is that the plan has established an income
15 level under section 1902(l)(2)(A) with respect to individ-
16 uals described in section 1902(l)(1)(A) that is 185 percent
17 of the income official poverty line.

18 “(B) For purposes of subsection (b), the expenditures
19 described in this paragraph are expenditures for medical
20 assistance for women described in section 1902(l)(1)(A)
21 whose income exceeds the income level established for such
22 women under section 1902(l)(2)(A)(i) as of the date of
23 the enactment of this paragraph but does not exceed than
24 185 percent of the income official poverty line.”.

1 (c) CONFORMING AMENDMENTS.—Section
2 2102(b)(1)(B) of the Social Security Act (42 U.S.C.
3 1397bb(b)(1)(B)) is amended—

4 (1) by striking “and” at the end of clause (i);

5 (2) by striking the period at the end of clause

6 (ii) and inserting “; and”; and

7 (3) by adding at the end the following new
8 clause:

9 “(iii) may not apply a waiting period
10 (including a waiting period to carry out
11 paragraph (3)(C)) in the case of a targeted
12 low-income child who is pregnant, if the
13 State provides for coverage of pregnancy-
14 related assistance for targeted low-income
15 pregnant women in accordance section
16 2112.”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section take effect on the date of the enactment of
19 this Act and apply to allotments for all fiscal years.

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