

107TH CONGRESS
1ST SESSION

S. 1016

To amend titles XIX and XXI of the Social Security Act to improve the health benefits coverage of infants and children under the medicaid and State children's health insurance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2001

Mr. BINGAMAN (for himself, Mr. LUGAR, Mr. MCCAIN, Mr. CORZINE, and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend titles XIX and XXI of the Social Security Act to improve the health benefits coverage of infants and children under the medicaid and State children's health insurance program, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Start Healthy, Stay Healthy Act of 2001”.

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

Sec. 1. Short title; table of contents.

TITLE I—START HEALTHY

Sec. 101. Enhanced Federal medicaid match for States that opt to continuously enroll infants during the first year of life without regard to the mother’s eligibility status.

Sec. 102. Optional coverage of low-income, uninsured pregnant women under a State child health plan.

Sec. 103. Increase in SCHIP income eligibility.

TITLE II—STAY HEALTHY

Sec. 201. Enhanced Federal medicaid match for increased expenditures for medical assistance for children.

Sec. 202. Increase in SCHIP appropriations.

Sec. 203. Optional coverage of children through age 20 under the medicaid program and SCHIP.

1 **TITLE I—START HEALTHY**

2 **SEC. 101. ENHANCED FEDERAL MEDICAID MATCH FOR**
3 **STATES THAT OPT TO CONTINUOUSLY EN-**
4 **ROLL INFANTS DURING THE FIRST YEAR OF**
5 **LIFE WITHOUT REGARD TO THE MOTHER’S**
6 **ELIGIBILITY STATUS.**

7 (a) STATE OPTION.—Section 1902(e)(4) of the Social
8 Security Act (42 U.S.C. 1396a(e)(4)) is amended by add-
9 ing at the end the following new sentence: “A State may
10 elect (through a State plan amendment) to apply the first
11 sentence of this paragraph without regard to the require-
12 ments that the child remain a member of the woman’s
13 household and the woman remains (or would remain if
14 pregnant) eligible for medical assistance.”.

15 (b) ENHANCED FMAP.—The first sentence of sec-
16 tion 1905(b) of the Social Security Act (42 U.S.C.
17 1396d(b)) is amended—

18 (1) by inserting “(A)” after “only”; and

1 (2) by inserting “, or (B) on the basis of a
2 State election made under the third sentence of sec-
3 tion 1902(e)(4)” before the period.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section apply to medical assistance provided on or
6 after October 1, 2001.

7 **SEC. 102. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**
8 **SURED PREGNANT WOMEN UNDER A STATE**
9 **CHILD HEALTH PLAN.**

10 (a) IN GENERAL.—Title XXI of the Social Security
11 Act (42 U.S.C. 1397aa et seq.) is amended by adding at
12 the end the following new section:

13 **“SEC. 2111. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**
14 **SURED PREGNANT WOMEN.**

15 “(a) OPTIONAL COVERAGE.—Notwithstanding any
16 other provision of this title, a State child health plan
17 (whether implemented under this title or title XIX) may
18 provide for coverage of pregnancy-related assistance for
19 targeted low-income pregnant women in accordance with
20 this section, but only if the State has established an in-
21 come eligibility level under section 1902(l)(2)(A) for
22 women described in section 1902(l)(1)(A) that is 185 per-
23 cent of the income official poverty line.

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

1 “(1) PREGNANCY-RELATED ASSISTANCE.—The
 2 term ‘pregnancy-related assistance’ has the meaning
 3 given the term child health assistance in section
 4 2110(a) as if any reference to targeted low-income
 5 children were a reference to targeted low-income
 6 pregnant women, except that the assistance shall be
 7 limited to services related to pregnancy (which in-
 8 clude prenatal, delivery, and postpartum services)
 9 and to other conditions that may complicate preg-
 10 nancy.

11 “(2) TARGETED LOW-INCOME PREGNANT
 12 WOMAN.—The term ‘targeted low-income pregnant
 13 woman’ has the meaning given the term targeted
 14 low-income child in section 2110(b) as if any ref-
 15 erence to a child were deemed a reference to a
 16 woman during pregnancy and through the end of the
 17 month in which the 60-day period (beginning on the
 18 last day of her pregnancy) ends.

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

24 “(1) Any reference in this title (other than sub-
 25 section (b)) to a targeted low income child is deemed

1 to include a reference to a targeted low-income preg-
2 nant woman.

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

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

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

12 “(5) Subsection (a) of section 2103 (relating to
13 required scope of health insurance coverage) shall
14 not apply insofar as a State limits coverage to serv-
15 ices described in subsection (b)(1) and the reference
16 to such section in section 2105(a)(1) is deemed not
17 to require, in such case, compliance with the require-
18 ments of section 2103(a).

19 “(6) There shall be no exclusion of benefits for
20 services described in subsection (b)(1) based on any
21 pre-existing condition and no waiting period (includ-
22 ing any waiting period imposed to carry out section
23 2102(b)(3)(C)) shall apply.

24 “(d) NO IMPACT ON ALLOTMENTS.—Nothing in this
25 section shall be construed as affecting the amount of any

1 initial allotment provided to a State under section
2 2104(b).

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

6 “(f) AUTOMATIC ENROLLMENT FOR CHILDREN
7 BORN TO WOMEN RECEIVING PREGNANCY-RELATED AS-
8 SISTANCE.—Notwithstanding any other provision of this
9 title or title XIX, if a child is born to a targeted low-in-
10 come pregnant woman who was receiving pregnancy-re-
11 lated assistance under this section on the date of the chil-
12 dren’s birth, the child shall be deemed to have applied for
13 child health assistance under the State child health plan
14 and to have been found eligible for such assistance under
15 such plan (or, in the case of a State that provides such
16 assistance through the provision of medical assistance
17 under a plan under title XIX, to have applied for medical
18 assistance under such title and to have been found eligible
19 for such assistance under such title) on the date of such
20 birth and to remain eligible for such assistance until the
21 child attains 1 year of age. During the period in which
22 a child is deemed under the preceding sentence to be eligi-
23 ble for child health or medical assistance, the child health
24 or medical assistance eligibility identification number of
25 the mother shall also serve as the identification number

1 of the child, and all claims shall be submitted and paid
 2 under such number (unless the State issues a separate
 3 identification number for the child before such period ex-
 4 pires).”.

5 (b) STATE OPTION TO USE ENHANCED FMAP AND
 6 SCHIP ALLOTMENT FOR COVERAGE OF ADDITIONAL
 7 PREGNANT WOMEN UNDER THE MEDICAID PROGRAM.—
 8 Section 1905 of the Social Security Act (42 U.S.C. 1396d)
 9 is amended—

10 (1) in the fourth sentence of subsection (b), by
 11 inserting “and in the case of a State plan that meets
 12 the condition described in subsections (u)(1) and
 13 (u)(4)(A), with respect to expenditures described in
 14 subsection (u)(4)(B) for the State for a fiscal year”
 15 after “for a fiscal year,”; and

16 (2) in subsection (u)—

17 (A) by redesignating paragraph (4) as
 18 paragraph (5); and

19 (B) by inserting after paragraph (3) the
 20 following new paragraph:

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

1 “(B) For purposes of subsection (b), the expenditures
 2 described in this paragraph are expenditures for medical
 3 assistance for women described in section 1902(l)(1)(A)
 4 whose income exceeds the income level established for such
 5 women under section 1902(l)(2)(A)(i) as of the date of
 6 the enactment of this paragraph but does not exceed 185
 7 percent of the income official poverty line.”.

8 (c) NO WAITING PERIODS OR COST-SHARING.—

9 (1) NO WAITING PERIOD.—Section
 10 2102(b)(1)(B) of the Social Security Act (42 U.S.C.
 11 1397bb(b)(1)(B)) is amended—

12 (A) by striking “, and” at the end of
 13 clause (i) and inserting a semicolon;

14 (B) by striking the period at the end of
 15 clause (ii) and inserting “; and”; and

16 (C) by adding at the end the following new
 17 clause:

18 “(iii) may not apply a waiting period
 19 (including a waiting period to carry out
 20 paragraph (3)(C)) in the case of a targeted
 21 low-income pregnant woman, if the State
 22 provides for coverage of pregnancy-related
 23 assistance for such women in accordance
 24 with section 2111.”.

(2) NO COST-SHARING FOR PREGNANCY-RELATED BENEFITS.—Section 2103(e)(2) of such Act (42 U.S.C. 1397cc(e)(2)) is amended—

(A) in the heading, by inserting “AND PREGNANCY-RELATED SERVICES” after “PREVENTIVE SERVICES”; and

(B) by inserting before the period at the end the following: “or for pregnancy-related services, if the State provides for coverage of pregnancy-related assistance for targeted low-income pregnant women in accordance section 2111”.

(d) PRESUMPTIVE ELIGIBILITY.—

(1) IN GENERAL.—Section 1920A(b)(3)(A)(i)(III) of the Social Security Act (42 U.S.C. 1396r–1a(b)(3)(A)(i)(III)) is amended by inserting “a child care resource and referral agency,” after “a State or tribal child support enforcement agency,”.

(2) APPLICATION TO PRESUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN UNDER MEDICAID.—Section 1920(b) of the Social Security Act (42 U.S.C. 1396r–1(b)) is amended by adding at the end after and below paragraph (2) the following flush sentence:

1 “The term ‘qualified provider’ includes a qualified entity
2 as defined in section 1920A(b)(3).”.

3 (3) APPLICATION UNDER TITLE XXI.—

4 (A) IN GENERAL.—Section 2107(e)(1)(D)
5 of the Social Security Act (42 U.S.C.
6 1397gg(e)(1)) is amended to read as follows:

7 “(D) Sections 1920 and 1920A (relating to
8 presumptive eligibility).”.

9 (B) EXCEPTION FROM LIMITATION ON AD-
10 MINISTRATIVE EXPENSES.—Section 2105(c)(2)
11 of the Social Security Act (42 U.S.C.
12 1397ee(c)(2)) is amended by adding at the end
13 the following new subparagraph:

14 “(C) EXCEPTION FOR PRESUMPTIVE ELI-
15 GIBILITY EXPENDITURES.—The limitation
16 under subparagraph (A) on expenditures shall
17 not apply to expenditures attributable to the
18 application of section 1920 or 1920A (pursuant
19 to section 2107(e)(1)(D)), regardless of whether
20 the child or pregnant woman is determined to
21 be ineligible for the program under this title or
22 title XIX.”.

23 (e) PROGRAM COORDINATION WITH THE MATERNAL
24 AND CHILD HEALTH PROGRAM (TITLE V).—

1 (1) IN GENERAL.—Section 2102(b)(3) of the
2 Social Security Act (42 U.S.C. 1397bb(b)(3)) is
3 amended—

4 (A) in subparagraph (D), by striking
5 “and” at the end;

6 (B) in subparagraph (E), by striking the
7 period and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(F) that operations and activities under
11 this title are developed and implemented in con-
12 sultation and coordination with the program op-
13 erated by the State under title V in areas in-
14 cluding outreach and enrollment, benefits and
15 services, service delivery standards, public
16 health and social service agency relationships,
17 and quality assurance and data reporting.”.

18 (2) CONFORMING MEDICAID AMENDMENT.—
19 Section 1902(a)(11) of such Act (42 U.S.C.
20 1396a(a)(11)) is amended—

21 (A) by striking “and” before “(C)”; and

22 (B) by inserting before the semicolon at
23 the end the following: “, and (D) provide that
24 operations and activities under this title are de-
25 veloped and implemented in consultation and

1 coordination with the program operated by the
2 State under title V in areas including outreach
3 and enrollment, benefits and services, service
4 delivery standards, public health and social
5 service agency relationships, and quality assur-
6 ance and data reporting”.

7 (3) EFFECTIVE DATE.—The amendments made
8 by this subsection take effect on January 1, 2002.

9 (f) APPLICATION OF ANNUAL AGGREGATE COST-
10 SHARING LIMIT.—Section 2103(e)(3)(B) of the Social Se-
11 curity Act (42 U.S.C. 1397cc(e)(3)(B)) is amended by
12 adding at the end the following new sentence: “In the case
13 of a targeted low-income pregnant woman provided cov-
14 erage under section 2111, or the parents of a targeted
15 low-income child provided coverage under this title under
16 an 1115 waiver or otherwise, the limitation on total an-
17 nual aggregate cost-sharing described in the preceding
18 sentence shall be applied to the entire family of such
19 woman or parents.”.

20 (g) EFFECTIVE DATE.—Except as provided in sub-
21 section (e), the amendments made by this section take ef-
22 fect on the date of the enactment of this Act and apply
23 to expenditures incurred on or after that date.

1 **SEC. 103. INCREASE IN SCHIP INCOME ELIGIBILITY.**

2 (a) DEFINITION OF LOW-INCOME CHILD.—Section
3 2110(c)(4) of the Social Security Act (42 U.S.C. 42
4 U.S.C. 1397jj(c)(4)) is amended by striking “200” and
5 inserting “250”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) applies to child health assistance provided,
8 and allotments determined under section 2104 of the So-
9 cial Security Act (42 U.S.C. 1397dd), for fiscal years be-
10 ginning with fiscal year 2002.

11 **TITLE II—STAY HEALTHY**

12 **SEC. 201. ENHANCED FEDERAL MEDICAID MATCH FOR IN-**
13 **CREASED EXPENDITURES FOR MEDICAL AS-**
14 **SISTANCE FOR CHILDREN.**

15 (a) ENHANCED FMAP.—Section 1905(b) of the So-
16 cial Security Act (42 U.S.C. 1396d(b)) is amended by add-
17 ing at the end the following new sentence: “Notwith-
18 standing the first sentence of this subsection, in the case
19 of a State plan that meets at least 7 of the conditions
20 described in subsection (x)(1) (as determined by the Sec-
21 retary in consultation with States (including the State
22 agencies responsible for the administration of this title
23 and title V), beneficiaries under this title, providers of
24 services under this title, and advocates for children), with
25 respect to expenditures described in subsection (x)(2) for
26 the State for a fiscal year, the Federal medical assistance

1 percentage is equal to the percentage determined for the
 2 State under subsection (x)(3).”.

3 (b) CONDITIONS AND EXPENDITURES DESCRIBED.—
 4 Section 1905 of the Social Security Act (42 U.S.C. 1396d)
 5 is amended by adding at the end the following new sub-
 6 section:

7 “(x)(1) For purposes of subsection (b), the conditions
 8 described in this subsection are the following:

9 “(A) HIGHEST SCHIP INCOME ELIGIBILITY.—

10 The State has a State child health plan under title
 11 XXI which (whether implemented under such title or
 12 under this title) has the highest income eligibility
 13 standard permitted under title XXI as of January 1,
 14 2001, does not limit the acceptance of applications,
 15 and provides benefits to all children in the State who
 16 apply for and meet eligibility standards.

17 “(B) UNIFORM, SIMPLIFIED APPLICATION
 18 FORM.—With respect to children under age 19 (or
 19 such higher age as the State has elected under sec-
 20 tion 1902(l)(1)(D)) who are eligible for medical as-
 21 sistance under section 1902(a)(10)(A), the State
 22 uses the same uniform, simplified application form
 23 (including, if applicable, permitting application other
 24 than in person) for purposes of establishing eligi-

1 bility for benefits under this title and also under title
2 XXI.

3 “(C) COORDINATED ENROLLMENT PROCESS.—
4 The State has an enrollment process that is coordi-
5 nated with that under title XXI so that a family
6 need only interact with a single agency in order to
7 determine whether a child is eligible for benefits
8 under this title or title XXI, and that allows for the
9 transfer of enrollment, without a gap in coverage,
10 for a child whose income eligibility status changes
11 but who remains eligible for benefits under either
12 title.

13 “(D) SAME VERIFICATION AND REDETERMINA-
14 TION POLICIES; AUTOMATIC REASSESSMENT OF ELI-
15 GIBILITY.—With respect to children under age 19
16 (or such higher age as the State has elected under
17 section 1902(l)(1)(D)) who are eligible for medical
18 assistance under section 1902(a)(10)(A), the State
19 provides for initial eligibility determinations and re-
20 determinations of eligibility using the same
21 verification policies (including with respect to face-
22 to-face interviews), forms, and frequency as the
23 State uses for such purposes under title XXI, and,
24 as part of such redeterminations, provides for the

1 automatic reassessment of the eligibility of such chil-
2 dren for assistance under this title and title XXI.

3 “(E) NO ASSET TEST.—The State does not im-
4 pose an asset test for eligibility under section
5 1902(l) or title XXI with respect to children.

6 “(F) 12-MONTH CONTINUOUS ENROLLMENT.—
7 The State has elected the option of continuing en-
8 rollment under section 1902(e)(12) and has elected
9 a 12-month period under subparagraph (A) of such
10 section.

11 “(G) COMPLIANCE WITH OUTSTATIONING RE-
12 QUIREMENT.—The State is providing for the receipt
13 and initial processing of applications of children for
14 medical assistance under this title at facilities de-
15 fined as disproportionate share hospitals under sec-
16 tion 1923(a)(1)(A) and Federally-qualified health
17 centers described in subsection (l)(2)(B) of this sec-
18 tion consistent with the requirements of section
19 1902(a)(55).

20 “(H) NO WAITING PERIOD LONGER THAN 6
21 MONTHS.—The State does not impose a waiting pe-
22 riod for children who meet eligibility standards to
23 qualify for assistance under such plan that exceeds
24 6 months (and may impose a shorter period or no
25 period) for purposes of complying with regulations

1 promulgated under title XXI to ensure that the in-
2 surance provided under the State child health plan
3 under such title does not substitute for coverage
4 under group health plans.

5 “(I) SUFFICIENT PROVIDER PAYMENT RATES.—

6 The State demonstrates that it is meeting the re-
7 quirements of section 1902(a)(30)(A) through pay-
8 ment rates sufficient to enlist enough providers so
9 that care and pediatric, obstetrical, gynecologic, and
10 dental services are available under the plan at least
11 to the extent that such care and services are avail-
12 able to the general population in the geographic
13 area.

14 “(2)(A) For purposes of subsection (b), the expendi-
15 tures described in this paragraph are expenditures for
16 medical assistance for children described in subparagraph
17 (B) for a fiscal year, but only to the extent that such ex-
18 penditures exceed the base expenditure amount, as defined
19 in subparagraph (C).

20 “(B) For purposes of subparagraph (A), the children
21 described in this subparagraph are—

22 “(i) individuals who are under 19 years of age
23 (or such higher age as the State may have elected
24 under section 1902(l)(1)(D)) who are eligible and
25 enrolled for medical assistance under this title; and

1 “(ii) individuals who—

2 “(I) would be described in clause (i) but
3 for having family income that exceeds the high-
4 est income eligibility level applicable to such in-
5 dividuals under the State plan; and

6 “(II) would be considered disabled under
7 section 1614(a)(3)(C) (determined without re-
8 gard to the reference to age in that section but
9 for having earnings or deemed income or re-
10 sources (as determined under title XVI for chil-
11 dren) that exceed the requirements for receipt
12 of supplemental security income benefits.

13 “(C) For purposes of subparagraph (A), the term
14 ‘base expenditure amount’ means the total expenditures
15 for medical assistance for children described in subpara-
16 graph (B) for fiscal year 1996.

17 “(3) For purposes of subsection (b), the Federal med-
18 ical assistance percentage with respect to expenditures de-
19 scribed in paragraph (2) for a fiscal year is equal to the
20 following:

21 “(A) In the case of a State that meets 7 of the
22 conditions described in paragraph (1), the Federal
23 medical assistance percentage (as defined in the first
24 sentence of subsection (b)) for the State increased
25 by a number of percentage points equal to 50 per-

1 cent of the number of percentage points by which
 2 (1) such Federal medical assistance percentage for
 3 the State is less than (2) the enhanced FMAP for
 4 the State described in section 2105(b).

5 “(B) In the case of a State that meets 8 of the
 6 conditions described in paragraph (1), the Federal
 7 medical assistance percentage (as so defined) for the
 8 State increased by a number of percentage points
 9 equal to 75 percent of the number of percentage
 10 points by which (1) such Federal medical assistance
 11 percentage for the State is less than (2) the en-
 12 hanced FMAP for the State (as so described).

13 “(C) In the case of a State that meets all of the
 14 conditions described in paragraph (1), the enhanced
 15 FMAP (as so described).”.

16 (c) COLLECTION OF DATA.—The Secretary of Health
 17 and Human Services shall modify such data collection and
 18 reporting requirements under title XIX of the Social Secu-
 19 rity Act as are necessary to determine the expenditures
 20 and base expenditure amount described in section
 21 1905(x)(2) of that Act (as added by subsection (b)), par-
 22 ticularly with respect to expenditures and the base expend-
 23 iture amount related to children described in section
 24 1905(x)(2)(B)(ii) of that Act.

1 (d) EFFECTIVE DATE.—The amendments made by
 2 subsections (a) and (b) apply to medical assistance pro-
 3 vided on or after October 1, 2001.

4 **SEC. 202. INCREASE IN SCHIP APPROPRIATIONS.**

5 Section 2104(a) of the Social Security Act (42 U.S.C.
 6 1397dd(a)) is amended by striking paragraphs (5)
 7 through (9) and inserting the following:

8 “(5) for fiscal year 2002, \$3,500,000,000;

9 “(6) for fiscal year 2003, \$4,000,000,000;

10 “(7) for fiscal year 2004, \$4,300,000,000;

11 “(8) for fiscal year 2005, \$4,500,000,000;

12 “(9) for fiscal year 2006, \$4,500,000,000;

13 and”.

14 **SEC. 203. OPTIONAL COVERAGE OF CHILDREN THROUGH**
 15 **AGE 20 UNDER THE MEDICAID PROGRAM AND**
 16 **SCHIP.**

17 (a) MEDICAID.—

18 (1) IN GENERAL.—Section 1902(l)(1)(D) of the
 19 Social Security Act (42 U.S.C. 1396a(l)(1)(D)) is
 20 amended by inserting “(or, at the election of a
 21 State, 20 or 21 years of age)” after “19 years of
 22 age”.

23 (2) CONFORMING AMENDMENTS.—

24 (A) Section 1902(e)(3)(A) of such Act (42
 25 U.S.C. 1396a(e)(3)(A)) is amended by inserting

1 “(or 1 year less than the age the State has
2 elected under subsection (l)(1)(D))” after “18
3 years of age”.

4 (B) Section 1902(e)(12) of such Act (42
5 U.S.C. 1396a(e)(12)) is amended by inserting
6 “or such higher age as the State has elected
7 under subsection (l)(1)(D)” after “19 years of
8 age”.

9 (C) Section 1920A(b)(1) of such Act (42
10 U.S.C. 1396r–1a(b)(1)) is amended by insert-
11 ing “or such higher age as the State has elected
12 under section 1902(l)(1)(D)” after “19 years of
13 age”.

14 (D) Section 1928(h)(1) of such Act (42
15 U.S.C. 1396s(h)(1)) is amended by inserting
16 “or 1 year less than the age the State has elect-
17 ed under section 1902(l)(1)(D)” before the pe-
18 riod at the end.

19 (E) Section 1932(a)(2)(A) of such Act (42
20 U.S.C. 1396u–2(a)(2)(A)) is amended by in-
21 serting “(or such higher age as the State has
22 elected under section 1902(l)(1)(D))” after “19
23 years of age”.

24 (b) TITLE XXI.—Section 2110(c)(1) of such Act (42
25 U.S.C. 1397jj(c)(1)) is amended by inserting “(or such

1 higher age as the State has elected under section
2 1902(l)(1)(D))”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section take effect on October 1, 2001, and apply to
5 medical assistance and child health assistance provided on
6 or after such date.

