To amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children’s health insurance program for any fiscal year for certain medicaid expenditures, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 25, 2003

Mr. Bingaman (for himself, Mr. Domenici, Mrs. Murray, Mr. Jeffords, Ms. Cantwell, Mr. Akaka, Mr. Reed, Mr. Chafee, and Mr. Inouye) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children’s health insurance program for any fiscal year for certain medicaid expenditures, 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 “Children’s Health Eq-
5 uity Technical Amendments Act of 2003”.

S. 1976

108TH CONGRESS 1ST SESSION

To amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children’s health insurance program for any fiscal year for certain medicaid expenditures, and for other purposes.
SEC. 2. AUTHORITY FOR QUALIFYING STATES TO USE PORTION OF SCHIP ALLOTMENT FOR ANY FISCAL YEAR FOR CERTAIN MEDICAID EXPENDITURES.

(a) IN GENERAL.—Section 2105(g)(1)(A) of the Social Security Act (42 U.S.C. 1397ee(g)(1)(A)) (as added by section 1(b) of Public Law 108–74) is amended by striking “, 1999, 2000, or 2001” and inserting “and any fiscal year thereafter”.

(b) SPECIAL RULE FOR USE OF ALLOTMENTS FOR FISCAL YEAR 2002 OR THEREAFTER.—Section 2105(g) of the Social Security Act (42 U.S.C. 1397ee(g)) (as so added and as amended by Public Law 108–127) is amended—

(1) in paragraph (2), by striking “In this subsection” and inserting “Subject to paragraph (4), in this subsection”; and

(2) by adding at the end the following:

“(4) SPECIAL RULE REGARDING AUTHORITY TO USE PORTION OF ALLOTMENTS FOR FISCAL YEAR 2002 OR THEREAFTER.—Notwithstanding paragraph (2), the authority provided under paragraph (1)(A) with respect to any allotment under section 2104 for fiscal year 2002 or any fiscal year thereafter (insofar as the allotment is available under subsections (e) and (g) of such section), shall only apply to a
qualifying State if the State has implemented at least 3 of the following policies and procedures (relating to coverage of children under title XIX and this title):

“(A) Uniform, simplified application form.—With respect to children who are eligible for medical assistance under section 1902(a)(10)(A), the State uses the same uniform, simplified application form (including, if applicable, permitting application other than in person) for purposes of establishing eligibility for benefits under title XIX and this title.

“(B) Elimination of asset test.—The State does not apply any asset test for eligibility under section 1902(l) or this title with respect to children.

“(C) Adoption of 12-month continuous enrollment.—The State provides that eligibility shall not be regularly redetermined more often than once every year under this title or for children described in section 1902(a)(10)(A).

“(D) Same verification and redetermination policies; automatic reassessment of eligibility.—With respect to chil-
dren who are eligible for medical assistance under section 1902(a)(10)(A), the State provides for initial eligibility determinations and redeterminations of eligibility using the same verification policies (including with respect to face-to-face interviews), forms, and frequency as the State uses for such purposes under this title, and, as part of such redeterminations, provides for the automatic reassessment of the eligibility of such children for assistance under title XIX and this title.

“(E) OUTSTATIONING ENROLLMENT STAFF.—The State provides for the receipt and initial processing of applications for benefits under this title and for children under title XIX at facilities defined as disproportionate share hospitals under section 1923(a)(1)(A) and Federally-qualified health centers described in section 1905(l)(2)(B) consistent with section 1902(a)(55).”.

(c) CONFORMING AMENDMENT.—Section 2105(g)(3) of the Social Security Act (42 U.S.C. 1397ee(g)(3)) is amended by striking “paragraphs (1) and (2)” and inserting “this subsection”.
1 (d) EFFECTIVE DATE.—The amendments made by
2 this section take effect as if enacted on October 1, 2003.