

110TH CONGRESS
1ST SESSION

H. R. 3326

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2007

Mr. ENGEL (for himself, Ms. PELOSI, Ms. ROS-LEHTINEN, Mr. WAXMAN, Mr. SHAYS, Mr. MARKEY, Mr. McCOTTER, Mr. TOWNS, Mrs. BONO, Mr. RUSH, Mr. UPTON, Ms. ESHOO, Mrs. WILSON of New Mexico, Mr. WYNN, Mr. PICKERING, Mr. GENE GREEN of Texas, Mr. FOSSELLA, Ms. DEGETTE, Mr. FERGUSON, Mrs. CAPPs, Mr. SMITH of New Jersey, Mr. DOYLE, Mr. KIRK, Mr. ALLEN, Mr. PAUL, Ms. SCHAKOWSKY, Mr. FORTUÑO, Ms. SOLIS, Mr. WALSH of New York, Mr. INSLEE, Mr. LOBIONDO, Ms. BALDWIN, Mr. MCHUGH, Ms. HOOLEY, Mr. SAXTON, Mr. MATHESON, Mr. FRELINGHUYSEN, Mr. WEINER, Mr. WELLER of Illinois, Mr. RANGEL, Mr. CASTLE, Mr. CLYBURN, Mr. DENT, Mr. EMANUEL, Mr. PORTER, Mr. McDERMOTT, Mr. SESSIONS, Mr. HINCHEY, Mr. LINCOLN DIAZ-BALART of Florida, Mr. LANGEVIN, Mr. MARIO DIAZ-BALART of Florida, Mr. KING of New York, Mr. RAMSTAD, and Ms. LEE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Early Treatment for
3 HIV Act of 2007”.

4 **SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME**
5 **HIV-INFECTED INDIVIDUALS.**

6 (a) IN GENERAL.—Section 1902 of the Social Secu-
7 rity Act (42 U.S.C. 1396a) is amended—

8 (1) in subsection (a)(10)(A)(ii)—

9 (A) by striking “or” at the end of sub-
10 clause (XVIII);

11 (B) by adding “or” at the end of subclause
12 (XIX); and

13 (C) by adding at the end the following:

14 “(XX) who are described in subsection (dd) (re-
15 lating to HIV-infected individuals);”; and

16 (2) by adding at the end the following:

17 “(dd) HIV.—infected individuals described in this
18 subsection are individuals not described in subsection
19 (a)(10)(A)(i)—

20 “(1) who have HIV infection;

21 “(2) whose income (as determined under the
22 State plan under this title with respect to disabled
23 individuals) does not exceed the maximum amount
24 of income a disabled individual described in sub-
25 section (a)(10)(A)(i) may have and obtain medical
26 assistance under the plan; and

1 “(3) whose resources (as determined under the
2 State plan under this title with respect to disabled
3 individuals) do not exceed the maximum amount of
4 resources a disabled individual described in sub-
5 section (a)(10)(A)(i) may have and obtain medical
6 assistance under the plan.”.

7 (b) ENHANCED MATCH.—The first sentence of sec-
8 tion 1905(b) of the Social Security Act (42 U.S.C.
9 1396d(b)) is amended by striking “section
10 1902(a)(10)(A)(ii)(XVIII)” and inserting “subclause
11 (XVIII) or (XX) of section 1902(a)(10)(A)(ii)”.

12 (c) CONFORMING AMENDMENTS.—Section 1905(a) of
13 the Social Security Act (42 U.S.C. 1396d(a)) is amended
14 in the matter preceding paragraph (1)—

15 (1) by striking “or” at the end of clause (xii);

16 (2) by adding “or” at the end of clause (xiii);

17 and

18 (3) by inserting after clause (xiii) the following:

19 “(xiv) individuals described in section
20 1902(dd);”.

21 (d) EXEMPTION FROM FUNDING LIMITATION FOR
22 TERRITORIES.—Section 1108(g) of the Social Security
23 Act (42 U.S.C. 1308(g)) is amended by adding at the end
24 the following:

1 “(3) DISREGARDING MEDICAL ASSISTANCE FOR
2 OPTIONAL LOW-INCOME HIV-INFECTED INDIVID-
3 UALS.—The limitations under subsection (f) and the
4 previous provisions of this subsection shall not apply
5 to amounts expended for medical assistance for indi-
6 viduals described in section 1902(dd) who are only
7 eligible for such assistance on the basis of section
8 1902(a)(10)(A)(ii)(XX).”.

9 (e) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to calendar quarters beginning on
11 or after the date of the enactment of this Act, without
12 regard to whether or not final regulations to carry out
13 such amendments have been promulgated by such date.

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