H. J. RES. 123

Making further continuing appropriations for fiscal year 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2017

Mr. FRELINGHUYSEN submitted the following joint resolution; which was referred to the Committee on Appropriations

JOINT RESOLUTION

Making further continuing appropriations for fiscal year 2018, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2018

SEC. 101. FURTHER CONTINUING APPROPRIATIONS.

The Continuing Appropriations Act, 2018 (division D of Public Law 115–56) is amended by striking the date specified in section 106(3) and inserting “December 22, 2017”.
This division may be cited as the “Further Continuing Appropriations Act, 2018”.

DIVISION B—CHILDREN’S HEALTH INSURANCE PROGRAM (CHIP) ALLOCATION REDISTRIBUTION SPECIAL RULE

SEC. 201. CHIP ALLOCATION REDISTRIBUTION SPECIAL RULE FOR CERTAIN SHORTFALL STATES DURING FIRST QUARTER OF FISCAL YEAR 2018.

Section 2104(f)(2) of the Social Security Act (42 U.S.C. 1397dd(f)(2)) is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) Determination of redistributed amounts if insufficient amounts available.—

“(i) Proration rule.—Subject to clause (ii), if the amounts available for redistribution under paragraph (1) for a fiscal year are less than the total amounts of the estimated shortfalls determined for the year under subparagraph (A), the amount to be redistributed under such paragraph
for each shortfall State shall be reduced proportionally.

“(ii) SPECIAL RULE FOR FIRST QUARTER OF FISCAL YEAR 2018.—

“(I) IN GENERAL.—For the period beginning on October 1, 2017, and ending December 31, 2017, with respect to any amounts available for redistribution under paragraph (1) for fiscal year 2018, the Secretary shall redistribute under such paragraph such amounts to each emergency shortfall State (as defined in subclause (II)) in such amount as is equal to the amount of the shortfall described in subclause (II) for such State and period (as may be adjusted under subparagraph (C)) before the Secretary may redistribute such amounts to any shortfall State that is not an emergency shortfall State. In the case of any amounts redistributed under this subclause to a State that is not an emergency shortfall State, such
amounts shall be determined in ac-
cordance with clause (i).

“(II) **Emergency shortfall**

state defined.—For purposes of
this clause, the term ‘emergency
shortfall State’ means, with respect to
the period beginning October 1, 2017,
and ending December 31, 2017, a
shortfall State for which the Secretary
estimates, in accordance with sub-
paragraph (A) (unless otherwise speci-
fied in this subclause), that the pro-
jected expenditures under the State
child health plan and under section
2105(g) (calculated as if the reference
under section 2105(g)(4)(A) to ‘2017’
were a reference to ‘2018’ and insofar
as the allotments are available to the
State under this subsection or sub-
section (e) or (m)) for such period will
exceed the sum of the amounts de-
scribed in clauses (i) through (iii) of
subparagraph (A) for such period, in-
cluding after application of any
amount redistributed under paragraph
(1) before such date of enactment to such State. A shortfall State may be an emergency shortfall State under the previous sentence without regard to whether any amounts were redistributed before such date of enactment to such State under paragraph (1) for fiscal year 2018.

“(III) APPLICATION OF QUALIFYING STATE OPTION.—During the period described in subclause (I), section 2105(g)(4) shall apply to a qualifying State (as defined in section 2105(g)(2)) as if under section 2105(g)(4)—

“(aa) the reference to ‘2017’ were a reference to ‘2018’; and

“(bb) the reference to ‘under subsections (e) and (m) of such section’ were a reference to ‘under subsections (e), (f), and (m) of such section’.”; and

(2) by adding at the end the following new sub-paragraph:
“(D) Rule of construction.—Nothing in this paragraph may be construed as preventing a commonwealth or territory described in subsection (e)(3) from being treated as a shortfall State or an emergency shortfall State.”.