

117TH CONGRESS  
2D SESSION

# H. R. 6698

To amend title XIX of the Social Security Act to repeal the requirement that States establish a Medicaid Estate Recovery Program and to limit the circumstances in which a State may place a lien on a Medicaid beneficiary's property.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2022

Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Ms. CLARKE of New York, Ms. DELAURO, Mrs. DINGELL, Mr. QUIGLEY, Ms. ROYBAL-ALLARD, Mr. POCAN, Ms. SCANLON, Mr. DANNY K. DAVIS of Illinois, Mr. GARCÍA of Illinois, and Ms. PRESSLEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to repeal the requirement that States establish a Medicaid Estate Recovery Program and to limit the circumstances in which a State may place a lien on a Medicaid beneficiary's property.

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 “Stop Unfair Medicaid  
5 Recoveries Act of 2022”.

1 **SEC. 2. LIENS, ADJUSTMENTS, AND RECOVERIES FOR MED-**  
2 **ICAL ASSISTANCE.**

3 (a) LIENS.—Section 1917(a) of the Social Security  
4 Act (42 U.S.C. 1396p(a)) is amended—

5 (1) in paragraph (1)—

6 (A) in the matter preceding subparagraph  
7 (A), by striking “plan, except—” and inserting  
8 “plan, except, subject to paragraph (4),—”;  
9 and

10 (B) in subparagraph (B), by striking “in  
11 the case of” and inserting “with respect to liens  
12 imposed before the date of the enactment of the  
13 Stop Unfair Medicaid Recoveries Act of 2022,  
14 in the case of”; and

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

16 “(4) Notwithstanding any preceding provision of this  
17 subsection, not later than 90 days after the date of the  
18 enactment of this paragraph, a State shall withdraw any  
19 lien imposed under paragraph (1)(B) that is in effect as  
20 of such date.”.

21 (b) ADJUSTMENTS AND RECOVERIES.—Section  
22 1917(b) of the Social Security Act (42 U.S.C. 1396p(b))  
23 is amended—

24 (1) in paragraph (1), by striking “except that”  
25 and inserting “except that, subject to paragraph  
26 (6),”; and

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

2           “(6) Notwithstanding any preceding provision of this  
3 subsection, no adjustment or recovery of any medical as-  
4 sistance correctly paid on behalf of an individual under  
5 the State plan may be initiated, maintained, or collected  
6 on or after the date of the enactment of this paragraph.  
7 Not later than 90 days after such date, a State shall with-  
8 draw any lien in effect as of such date with respect to  
9 such medical assistance correctly paid.”.

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