

119TH CONGRESS
2D SESSION

H. R. 8095

To amend title XIX of the Social Security Act to ensure that children in foster care who are placed in a qualified residential treatment program are eligible for Medicaid.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2026

Mr. BILIRAKIS (for himself and Ms. BROWNLEY) 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 ensure that children in foster care who are placed in a qualified residential treatment program are eligible for Medicaid.

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 “Ensuring Medicaid
5 Continuity for Children in Foster Care Act of 2026”.

1 **SEC. 2. EXEMPTION OF CHILDREN IN FOSTER CARE WHO**
2 **ARE PLACED IN A QUALIFIED RESIDENTIAL**
3 **TREATMENT PROGRAM FROM THE MEDICAID**
4 **IMD EXCLUSION.**

5 (a) IN GENERAL.—Section 1905(a) of the Social Se-
6 curity Act (42 U.S.C. 1396d(a)) is amended, in the matter
7 designated as subdivision (B) following the last numbered
8 paragraph of such section, by inserting “and services pro-
9 vided to any individual who is a child in foster care under
10 the responsibility of a State who has been placed in a child
11 care institution that is a qualified residential treatment
12 program (as defined in section 472(k)(4)), without regard
13 to whether payments are made on behalf of such child
14 under section 472” after “section 1915(l)”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply with respect to items and serv-
17 ices furnished in calendar quarters beginning on or after
18 October 1, 2026.

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