

105TH CONGRESS
2D SESSION

H. R. 4723

To amend title XIX of the Social Security Act to deduct a children's contribution from the amount of income applied monthly to payment for the cost of care in an institution for an individual receiving medical assistance under a State Medicaid plan.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1998

Mr. MANZULLO introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend title XIX of the Social Security Act to deduct a children's contribution from the amount of income applied monthly to payment for the cost of care in an institution for an individual receiving medical assistance under a State Medicaid plan.

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. DEDUCTION OF CHILDREN'S CONTRIBUTION**
4 **FROM MONTHLY INCOME FOR INSTITU-**
5 **TIONALIZED MEDICAID BENEFICIARIES.**

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

1 (1) in paragraph (1)(A), by inserting “a month-
2 ly children’s contribution (as defined in paragraph
3 (3)) and” after “plan”); and

4 (2) by adding at the end the following new
5 paragraph:

6 “(3) For purposes of this subsection, the term
7 ‘monthly children’s contribution’ means a contribution
8 given to an individual for a month by the individual’s chil-
9 dren for clothing and other personal needs of the individ-
10 ual, the total amount of which may not exceed \$100.”.

11 (b) EFFECTIVE DATE.—(1) Except as provided in
12 paragraph (2), the amendments made by subsection (a)
13 shall apply to calendar quarters beginning on or after Jan-
14 uary 1, 1999, without regard to whether or not final regu-
15 lations to carry out such amendments have been promul-
16 gated by such date.

17 (2) In the case of a State plan for medical assistance
18 under title XIX of the Social Security Act which the Sec-
19 retary of Health and Human Services determines requires
20 State legislation (other than legislation appropriating
21 funds) in order for the plan to meet the additional require-
22 ments imposed by the amendments made by subsection
23 (a), the State plan shall not be regarded as failing to com-
24 ply with the requirements of such title solely on the basis
25 of its failure to meet these additional requirements before

1 the first day of the first calendar quarter beginning after
2 the close of the first regular session of the State legisla-
3 ture that begins after the date of the enactment of this
4 Act. For purposes of the previous sentence, in the case
5 of a State that has a 2-year legislative session, each year
6 of such session shall be deemed to be a separate regular
7 session of the State legislature.

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