

106TH CONGRESS
1ST SESSION

H. R. 3332

To amend title XIX of the Social Security Act to clarify the exemption of certain children with special needs from State option to use managed care.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 10, 1999

Mr. STRICKLAND (for himself and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend title XIX of the Social Security Act to clarify the exemption of certain children with special needs from State option to use managed care.

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 “Medicaid Children with
5 Special Health Care Needs Improvement Act of 1999”.

1 **SEC. 2. CLARIFICATION OF SPECIAL RULES APPLYING TO**
2 **THE EXEMPTION OF CERTAIN CHILDREN**
3 **WITH SPECIAL NEEDS FROM STATE OPTION**
4 **TO USE MANAGED CARE.**

5 (a) DESCRIPTION OF CHILDREN WITH SPECIAL
6 NEEDS.—

7 (1) IN GENERAL.—Section 1932(a)(2)(A)(ii) of
8 the Social Security Act (42 U.S.C. 1396u–
9 2(a)(2)(A)(ii)) is amended by striking “is described
10 in section 501(a)(1)(D)” and inserting “meets the
11 State definition of eligibility for services or programs
12 for children with special needs described in section
13 501”.

14 (2) EFFECTIVE DATE.—The amendment made
15 by paragraph (1) is effective as if included in the en-
16 actment of the Balanced Budget Act of 1997.

17 (b) PROCESS FOR WAIVERS.—

18 (1) IN GENERAL.—Section 1932(a)(2)(A) of
19 such Act (42 U.S.C. 1396u–2(a)(2)(A)) is amended
20 by adding at the end the following new subpara-
21 graph:

22 “(D) PROCESS FOR THE USE OF WAIVER
23 AUTHORITY.—If a State applies for a waiver
24 under section 1915(b) or 1115 to require en-
25 rollment in a managed care entity for children

1 described in subparagraph (A), such waiver
2 may not be approved unless—

3 “(i) the provision of such waiver in-
4 clude access and quality standards and re-
5 porting requirements specific to these chil-
6 dren, and

7 “(ii) there is no waiver of the patient
8 protection standards under this section or
9 the solvency standards under section
10 1903(m).”.

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) applies to waivers approved on or
13 after the date of the enactment of this Act.

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