

106TH CONGRESS  
1ST SESSION

# S. 88

To amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. BUNNING introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

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. EXEMPTION OF DISABLED INDIVIDUALS FROM**  
4                       **REQUIRED ENROLLMENT WITH A MANAGED**  
5                       **CARE ENTITY UNDER THE MEDICAID PRO-**  
6                       **GRAM.**

7       (a) AMENDMENT TO THE SOCIAL SECURITY ACT.—  
8       Section 1932(a)(2) of the Social Security Act (42 U.S.C.

1 1396u–2(a)(2)) is amended by adding at the end the fol-  
 2 lowing:

3                   “(D) EXEMPTION OF DISABLED INDIVID-  
 4 UALS.—A State may not require under para-  
 5 graph (1) the enrollment in a managed care en-  
 6 tity of an individual who is disabled (as deter-  
 7 mined under section 1614(a)(3)).”.

8           (b) RETROACTIVITY.—The amendment made by sub-  
 9 section (a) takes effect as if included in the enactment  
 10 of the Balanced Budget Act of 1997 (Public Law 105–  
 11 33; 111 Stat. 251).

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