

107TH CONGRESS
2D SESSION

H. R. 5225

To amend title XIX of the Social Security Act to provide for coverage under the Medicaid Program of organ transplant procedures as an emergency medical procedure for certain alien children.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2002

Mr. GUTIERREZ 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 provide for coverage under the Medicaid Program of organ transplant procedures as an emergency medical procedure for certain alien children.

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 “Alien Child Organ
5 Transplant Act of 2002”.

1 **SEC. 2. MEDICAID COVERAGE OF ORGAN TRANSPLANT**
2 **PROCEDURES CONSIDERED AS AN EMER-**
3 **GENCY MEDICAL PROCEDURE FOR CERTAIN**
4 **ALIENS WHO HAVE NOT ATTAINED THE AGE**
5 **OF 18 YEARS.**

6 (a) AMENDMENT TO TITLE XIX OF THE SOCIAL SE-
7 CURITY ACT.—Section 1903(v)(2)(C) of the Social Secu-
8 rity Act (42 U.S.C. 1396b(v)) is amended to read as fol-
9 lows:

10 “(C) such care and services are not related to
11 an organ transplant procedure, unless the organ
12 transplant is for an individual who has not attained
13 the age of 18 years and who either was residing in
14 the United States on the date of the enactment of
15 the Alien Child Organ Transplant Act of 2002; or
16 developed the medical condition necessitating an
17 organ transplant while residing in the United
18 States.”.

19 (b) CONFORMING AMENDMENT.—Section
20 401(b)(1)(A) of the Personal Responsibility and Work Op-
21 portunity Reconciliation Act of 1996 (8 U.S.C.
22 1611(b)(1)(A)) is amended—

23 (1) by striking “1903(v)(3)” and inserting
24 “1903(v)”; and

25 (2) by striking “procedure,” and inserting “pro-
26 cedure (unless the alien has not attained the age of

1 18 years and either was residing in the United
2 States on the date of the enactment of the Alien
3 Child Organ Transplant Act of 2002 or developed
4 the medical condition necessitating an organ trans-
5 plant while residing in the United States),”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall apply to care and services furnished on
8 or after the date of the enactment of this Act.

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