

107TH CONGRESS
1ST SESSION

S. 574

To amend titles XIX and XXI of the Social Security Act to allow States to provide health benefits coverage for parents of children eligible for child health assistance under the State children's health insurance program.

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2001

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

A BILL

To amend titles XIX and XXI of the Social Security Act to allow States to provide health benefits coverage for parents of children eligible for child health assistance under the State children's health insurance 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. SHORT TITLE.**

4 This Act may be cited as the “Family Health Insur-
5 ance Program Act of 2001”.

1 **SEC. 2. STATE OPTION TO PROVIDE HEALTH BENEFITS**
 2 **COVERAGE FOR PARENTS OF CHILDREN ELI-**
 3 **GIBLE FOR CHILD HEALTH ASSISTANCE**
 4 **UNDER THE STATE CHILDREN'S HEALTH IN-**
 5 **SURANCE PROGRAM.**

6 (a) IN GENERAL.—Title XXI of the Social Security
 7 Act (42 U.S.C. 1397aa et seq.) is amended by adding at
 8 the end the following new section:

9 **“SEC. 2111. OPTIONAL COVERAGE OF PARENTS OF TAR-**
 10 **GETED LOW-INCOME CHILDREN.**

11 “(a) OPTIONAL COVERAGE.—

12 “(1) IN GENERAL.—Notwithstanding any other
 13 provision of this title, a State that meets the re-
 14 quirements of paragraph (2) may provide for cov-
 15 erage, through an amendment to its State child
 16 health plan under section 2102, of parent health as-
 17 sistance for targeted low-income parents in accord-
 18 ance with this section.

19 “(2) REQUIREMENTS.—A State may not receive
 20 payment under section 2105 for coverage provided
 21 under this subsection (or payment under section
 22 1903 for medical assistance provided to parents de-
 23 scribed in section 1902(a)(10)(A)(ii)(XIV)) unless
 24 the State provides assurances satisfactory to the
 25 Secretary that—

1 “(A) targeted low-income parents in fami-
 2 lies with higher income are only made eligible
 3 (under title XIX or this title) if targeted low-
 4 income parents in families with lower income
 5 are also eligible; and

6 “(B) parents are enrolled in the same pro-
 7 gram (whether under this title or title XIX) as
 8 a child of the parents.

9 “(b) DEFINITIONS.—In this section:

10 “(1) PARENT HEALTH ASSISTANCE.—The term
 11 ‘parent health assistance’ has the meaning given the
 12 term child health assistance in section 2110(a) as if
 13 any reference to targeted low-income children were
 14 a reference to targeted low-income parents.

15 “(2) TARGETED LOW-INCOME PARENT.—The
 16 term ‘targeted low-income parent’ means an indi-
 17 vidual who—

18 “(A) is a parent of a targeted low-income
 19 child; and

20 “(B) otherwise satisfies the requirements
 21 for a child to be a targeted low-income child (as
 22 described in section 2110(b)).

23 “(3) PARENT.—The term ‘parent’ means an in-
 24 dividual who is a caretaker relative of a child de-
 25 scribed in paragraph (2)(A). Such term includes

1 parents, stepparents with whom the child resides,
 2 appointed guardians, grandparents, and other rel-
 3 atives.

4 “(c) REFERENCES TO TERMS AND SPECIAL
 5 RULES.—In the case of, and with respect to, a State pro-
 6 viding for coverage of parent health assistance to targeted
 7 low-income parents under subsection (a), the following
 8 special rules apply:

9 “(1) Any reference in this title (other than in
 10 subsection (b)) to a targeted low-income child is
 11 deemed to include a reference to a targeted low-in-
 12 come parent.

13 “(2) Any such reference to child health assist-
 14 ance with respect to such a parent is deemed a ref-
 15 erence to parent health assistance.

16 “(3) Any such reference to a child (other than
 17 in section 2104(b)) is deemed a reference to a par-
 18 ent of such child.

19 “(4) The medicaid applicable income level is the
 20 level applicable to the child of that parent.

21 “(5) In applying section 2103(e)(3)(B) in the
 22 case of a parent provided parent health assistance
 23 under this section, the limitation on total annual ag-
 24 gregate cost-sharing shall be applied to the entire
 25 family.

1 “(6) Section 2105(c)(3) shall be applied without
2 regard to subparagraph (A).

3 “(d) RULES OF CONSTRUCTION.—Nothing in this
4 section shall be construed—

5 “(1) as affecting—

6 “(A) the total amount available for allot-
7 ments under section 2104(a); or

8 “(B) the amount of the allotment provided
9 to a State under subsection (b) or (c) of section
10 2104; or

11 “(2) as requiring a State to provide parent
12 health assistance to all targeted low-income par-
13 ents.”.

14 (b) MEDICAID CONFORMING AMENDMENTS.—

15 (1) Section 1902(a)(10)(A)(ii)(XIV) of the So-
16 cial Security Act (42 U.S.C.
17 1396a(a)(10)(A)(ii)(XIV)) is amended by inserting
18 “or who are optional targeted low-income parents
19 described in section 1905(u)(2)(C), but only if the
20 State provides medical assistance for such optional
21 targeted low-income children” before the semicolon.

22 (2) Section 1905(u)(2) of the Social Security
23 Act (42 U.S.C. 1396d(u)(2)) is amended—

24 (A) in subparagraph (A), by inserting

25 “and for optional targeted low-income parents

1 described in subparagraph (C)” before the pe-
 2 riod; and

3 (B) by adding at the end the following new
 4 subparagraph:

5 “(C) For purposes of this paragraph, the term “op-
 6 tional targeted low-income parent” means an individual—

7 “(i) who is a parent of an optional targeted low-
 8 income child;

9 “(ii) who otherwise satisfies the requirements
 10 for a child to be a targeted low-income child (as de-
 11 scribed in section 2110(b) but determined without
 12 regard to that portion of paragraph (1)(C) of such
 13 section concerning eligibility for medical assistance
 14 under this title); and

15 “(iii) who are not otherwise eligible for medical
 16 assistance under section 1902(a)(10)(A) or section
 17 1931.”.

18 (c) EFFECTIVE DATE.—The amendments made by
 19 this section apply to parent health assistance and medical
 20 assistance furnished on or after October 1, 2001.

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