

109TH CONGRESS
1ST SESSION

H. R. 287

To amend title XIX of the Social Security Act to assure coverage for legal immigrant children and pregnant women under the Medicaid Program and the State children's health insurance program (SCHIP).

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2005

Mr. TOWNS 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 assure coverage for legal immigrant children and pregnant women under the Medicaid Program and the State children's health insurance program (SCHIP).

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 "Legal Immigrant
5 Health Restoration Act of 2005".

1 **SEC. 2. COVERAGE OF LEGAL IMMIGRANT PREGNANT**
2 **WOMEN AND CHILDREN UNDER THE MED-**
3 **ICAID PROGRAM AND SCHIP.**

4 (a) **MEDICAID PROGRAM.**— Section 1903(v) of the
5 Social Security Act (42 U.S.C. 1396b(v)) is amended by
6 adding at the end the following new paragraph:

7 “(4)(A) Notwithstanding sections 401(a),
8 402(b), 403, and 421 of the Personal Responsibility
9 and Work Opportunity Reconciliation Act of 1996,
10 a State plan under this title shall provide (in a plan
11 amendment) medical assistance under this title for
12 aliens who are lawfully residing in the United States
13 (including battered aliens described in section 431(c)
14 of such Act) and who are otherwise eligible for such
15 assistance, within either of the following eligibility
16 categories:

17 “(i) **PREGNANT WOMEN.**—Women
18 during pregnancy (and during the 60-day
19 period beginning on the last day of the
20 pregnancy).

21 “(ii) **CHILDREN.**—Children (as de-
22 fined under such plan), including optional
23 targeted low-income children described in
24 section 1905(u)(2)(B).

25 “(B) No debt shall accrue under an affi-
26 davit of support against any sponsor of an alien

1 within a category of aliens under subparagraph
2 (A) on the basis of provision of assistance to
3 such category and the cost of such assistance
4 shall not be considered as an unreimbursed
5 cost.”.

6 (b) SCHIP.—Section 2107(e)(1) of such Act (42
7 U.S.C. 1397gg(e)(1)) as amended by section 803 of the
8 Medicare, Medicaid, and SCHIP Benefits Improvement
9 and Protection Act of 2000, as enacted into law by section
10 1(a)(6) of Public Law 106–554, is amended by redesignig-
11 nating subparagraphs (C) and (D) as subparagraph (D)
12 and (E), respectively, and by inserting after subparagraph
13 (B) the following new subparagraph:

14 “(C) Section 1903(v)(4) (relating to cov-
15 erage of categories of permanent resident alien
16 children).”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect on October 1, 2006, and apply
19 to medical assistance and child health assistance furnished
20 on or after such date.

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