

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3454

To amend title XIX of the Social Security Act to require Medicaid coverage of disabled children, and individuals who became disabled as children, without regard to income or assets.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2005

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to require Medicaid coverage of disabled children, and individuals who became disabled as children, without regard to income or assets.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MEDICAID COVERAGE OF DISABLED CHIL-**  
2 **DREN, AND INDIVIDUALS WHO BECAME DIS-**  
3 **ABLED AS CHILDREN, WITHOUT REGARD TO**  
4 **INCOME OR ASSETS.**

5 (a) **IN GENERAL.**—Section 1902(a)(10)(A)(i) of the  
6 Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)) is  
7 amended—

8 (1) by striking “or” at the end of subclause  
9 (VI);

10 (2) by striking the semicolon at the end of sub-  
11 clause (VII) and inserting “, or”; and

12 (3) by adding at the end the following new sub-  
13 clause:

14 “(VIII) who are disabled (as de-  
15 termined under section 1614 for pur-  
16 poses of the supplemental income se-  
17 curity program) on the basis of an im-  
18 pairment that arose before the indi-  
19 vidual attained 19 years of age and  
20 who were so disabled before attaining  
21 such age;”.

22 (b) **WAIVER OF INCOME LIMITATION.**—Section  
23 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)) is amend-  
24 ed by inserting “1902(a)(10)(A)(i)(VIII),” after  
25 “1902(a)(10)(A)(i)(VII),”.

1           (c) EFFECTIVE DATE.—(1) Except as provided in  
2 paragraph (2), the amendments made by this section  
3 apply to calendar quarters beginning on or after the date  
4 that is 18 months after the date of the enactment of this  
5 Act, without regard to whether or not final regulations to  
6 carry out such amendments have been promulgated by  
7 such date.

8           (2) In the case of a State plan for medical assistance  
9 under title XIX of the Social Security Act which the Sec-  
10 retary of Health and Human Services determines requires  
11 State legislation (other than legislation appropriating  
12 funds) in order for the plan to meet the additional require-  
13 ment imposed by the amendments made by subsection (a),  
14 the State plan shall not be regarded as failing to comply  
15 with the requirements of such title solely on the basis of  
16 its failure to meet this additional requirement before the  
17 first day of the first calendar quarter beginning after the  
18 close of the first regular session of the State legislature  
19 that begins after the date of the enactment of this Act.  
20 For purposes of the previous sentence, in the case of a  
21 State that has a 2-year legislative session, each year of  
22 such session shall be deemed to be a separate regular ses-  
23 sion of the State legislature.

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