

109TH CONGRESS
1ST SESSION

S. 1286

To require States to report data on medicaid beneficiaries who are employed.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2005

Mr. KENNEDY (for himself and Mr. CORZINE) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To require States to report data on medicaid beneficiaries
who are employed.

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 “Health Care Account-
5 ability Act”.

6 **SEC. 2. STATE REQUIREMENT TO REPORT DATA ON MED-**
7 **ICAID BENEFICIARIES WHO ARE EMPLOYED.**

8 (a) REPORTING REQUIREMENT.—Section 1902(a) of
9 the Social Security Act (42 U.S.C. 1396a(a)) is amended
10 in the first sentence—

1 (1) by striking “and” at the end of paragraph
2 (66);

3 (2) by striking the period at the end of para-
4 graph (67) and inserting “; and”; and

5 (3) by inserting after paragraph (67) the fol-
6 lowing new paragraph:

7 “(68) provide for the annual reporting by the
8 State, using data only from applications by individ-
9 uals for medical assistance under the State plan, on
10 each employer in the State with 50 or more employ-
11 ees who received medical assistance under this title
12 at any time during the previous year, such reporting
13 to include with respect to the employer (A) the name
14 and address of the employer, (B) the number of em-
15 ployees who receive such medical assistance during
16 the previous year, which may include a separate list-
17 ing of the numbers of part-time and full-time em-
18 ployees if such data is available, (C) the number of
19 individuals who receive such medical assistance dur-
20 ing the previous year who are spouses or dependents
21 of such employees, (D) the cost to the State of pro-
22 viding such medical assistance during the previous
23 year to such employees, spouses, and dependents,
24 and (E) the ratio of employees who receive such
25 medical assistance during the previous year to the

1 total employees in the State during that previous
2 year.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall apply with respect to 2006 and each
5 subsequent year.

6 (c) INITIAL REPORT.—Not later than July 1, 2006,
7 the Secretary of Health and Human Services shall provide
8 for an initial mid-year report by each State with a State
9 plan approved under title XI or XIX of the Social Security
10 Act of the information described in section 1902(a)(68)
11 of such Act, as added by subsection (a).

12 (d) RULE OF CONSTRUCTION.—Nothing in this Act
13 shall be construed as superseding requirements for the
14 protection of patient privacy provided for under section
15 264(c) of the Health Insurance Portability and Account-
16 ability Act of 1996 (42 U.S.C. 1320d–2 note), under part
17 C of title XI of the Social Security Act, or under any other
18 provision of Federal law.

○