

109TH CONGRESS  
1ST SESSION

# S. 1298

To amend titles XIX and XXI of the Social Security Act to permit States to cover low-income youth up to age 23.

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2005

Mrs. LINCOLN (for herself, Mr. BINGAMAN, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend titles XIX and XXI of the Social Security Act to permit States to cover low-income youth up to age 23.

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 for Young  
5       Adults Act of 2005”.

6       **SEC. 2. PROVIDING STATE OPTION FOR SCHIP AND MED-**

7                       **ICAID COVERAGE OF YOUNG ADULTS UP TO**

8                       **AGE 23.**

9       (a) IN GENERAL.—

1           (1) MEDICAID.—(A) Section 1902(l)(1)(D) of  
 2           the Social Security Act (42 U.S.C. 1396a(l)(1)(D))  
 3           is amended by inserting “(or, at the option of the  
 4           State, who have not attained 20, 21, or 22 years of  
 5           age, as the State may elect)” after “have not at-  
 6           tained 19 years of age”.

7           (B) Clause (i) of section 1905(a) of the Social  
 8           Security Act (42 U.S.C. 1396d(a)) is amended by  
 9           striking “under the age of 21, or, at the option of  
 10          the State, under the age of 20, 19, or 18 as the  
 11          State may choose” and inserting “under the age of  
 12          23, or, at the option of the State, under the age of  
 13          22, 21, 20, 19, or 18 as the State may elect”.

14          (2) SCHIP.—Section 2110(c)(1) of such Act  
 15          (42 U.S.C. 1397jj(c)(1)) is amended by inserting  
 16          after “19 years of age” the following: “(or, at the  
 17          option of the State and subject to the availability of  
 18          additional allotments under section 2104(d), 20, 21,  
 19          22, or 23 years of age)”.

20          (b) ADDITIONAL SCHIP ALLOTMENTS FOR PRO-  
 21          VIDING COVERAGE OF OPTIONAL YOUNG ADULTS.—

22          (1) IN GENERAL.—Section 2104 of such Act  
 23          (42 U.S.C. 1397dd) is amended by inserting after  
 24          subsection (c) the following:

1       “(d) ADDITIONAL ALLOTMENTS FOR THE PROVISION  
2 OF COVERAGE TO OPTIONAL YOUNG ADULTS.—

3               “(1) APPROPRIATION; TOTAL ALLOTMENT.—

4       For the purpose of providing additional allotments  
5 to States under this title, there is appropriated, out  
6 of any money in the Treasury not otherwise appro-  
7 priated, for each of fiscal years 2006 through 2009,  
8 \$500,000,000.

9               “(2) STATE AND TERRITORIAL ALLOTMENTS.—

10       In addition to the allotments provided under sub-  
11 sections (b) and (c), subject to paragraph (3), of the  
12 amount available for the additional allotments under  
13 paragraph (1) for a fiscal year, the Secretary shall  
14 allot to each State with a State child health plan ap-  
15 proved under this title—

16               “(A) in the case of such a State other than  
17 a commonwealth or territory described in sub-  
18 paragraph (B), the same proportion as the pro-  
19 portion of the State’s allotment under sub-  
20 section (b) (determined without regard to sub-  
21 section (f)) to the total amount of the allot-  
22 ments under subsection (b) for such States eli-  
23 gible for an allotment under this paragraph for  
24 such fiscal year; and

“(B) in the case of a commonwealth or territory described in subsection (c)(3), the same proportion as the proportion of the commonwealth’s or territory’s allotment under subsection (c) (determined without regard to subsection (f)) to the total amount of the allotments under subsection (c) for commonwealths and territories eligible for an allotment under this paragraph for such fiscal year.

“(3) USE OF ADDITIONAL ALLOTMENT.—Additional allotments provided under this subsection are not available for amounts expended before October 1, 2005. Such amounts are available for amounts expended on or after such date only for—

“(A) expenditures described in section 1905(u)(4)(A); and

“(B) child health assistance for individuals who are targeted low-income children and over 18 years of age and who are low-income children only because of an election by the State under section 2110(c)(1).”.

(2) CONFORMING AMENDMENTS.—Section 2104 of such Act (42 U.S.C. 1397dd) is amended—

1 (A) in subsection (a), in the matter pre-  
 2 ceding paragraph (1), by inserting “subject to  
 3 subsection (d),” after “under this section,”;

4 (B) in subsection (b)(1), by inserting “and  
 5 subsection (d)” after “Subject to paragraph  
 6 (4)”; and

7 (C) in subsection (c)(1), by inserting “sub-  
 8 ject to subsection (d),” after “for a fiscal  
 9 year,”.

10 (c) MODIFICATION OF MEDICAID CAPS FOR TERRI-  
 11 TORIES.—Section 1108 of such Act (42 U.S.C. 1308) is  
 12 amended—

13 (1) in subsection (f), by striking “subsection  
 14 (g)” and inserting “subsections (g) and (h)”; and

15 (2) by adding at the end the following new sub-  
 16 section:

17 “(h) The Secretary shall provide for such increase in  
 18 the limitations under subsections (f) and (g) with respect  
 19 to each of the territories as may be necessary for each  
 20 such territory to provide for an expansion of medicaid cov-  
 21 erage to young adults described in section  
 22 1902(l)(1)(D).”.

23 (d) EFFECTIVE DATE.—The amendments made by  
 24 this section apply to items and services furnished on or  
 25 after October 1, 2005, without regard to whether regula-

1 tions implementing such amendments have been promul-  
2 gated.

3 **SEC. 3. GRANTS TO IMPLEMENT MEDICAID AND SCHIP EX-**  
4 **PANSIONS.**

5 (a) IN GENERAL.—The Secretary of Health and  
6 Human Services shall provide for grants to States (as de-  
7 fined for purposes of titles XIX and XXI of the Social  
8 Security Act) in order to enable such States to implement  
9 expansions of eligibility for children and young adults  
10 their State medicaid plans under title XIX of the Social  
11 Security Act and State child health plans under title XXI  
12 of such Act. Such grants shall be available for planning,  
13 implementation, and outreach with respect to such ex-  
14 panded eligibility populations.

15 (b) TERMS AND CONDITIONS.—Grants under this  
16 section shall be made available under such terms and con-  
17 ditions, including the approval of a grant application, as  
18 the Secretary shall specify.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated such sums as may be  
21 necessary to provide for grants under this section.

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