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S. 747

To give States the flexibility to reduce bureaucracy by streamlining enrollment processes for the medicaid and State children’s health insurance programs through better linkages with programs providing nutrition and related assistance to low-income families.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2005

Mr. LUGAR (for himself, Mr. BINGAMAN, Mr. COCHRAN, Mr. KERRY, Mr. DURBIN, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To give States the flexibility to reduce bureaucracy by streamlining enrollment processes for the medicaid and State children’s health insurance programs through better linkages with programs providing nutrition and related assistance to low-income families.

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 “Children’s Express
5 Lane to Health Coverage Act of 2005”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Despite gains made in recent years,
2 8,900,000 children in the United States are unin-
3 sured. Of those, 6,900,000 are eligible for public
4 health insurance coverage.

5 (2) Most low-income uninsured children are en-
6 rolled in nutrition and related programs that operate
7 under income guidelines similar to those of the med-
8 icaid program. In fact, 63 percent, or 4,300,000,
9 low-income uninsured children are in families that
10 receive benefits through the food stamps program,
11 the National school lunch program, or the special
12 supplemental nutrition program for women, infants
13 and children (commonly referred to as “WIC”).

14 (3) The public would be well served if Federal
15 means-tested public programs were able to improve
16 administrative efficiency and coordination as well as
17 reduce unnecessary bureaucracy.

18 (4) Uninsured children would be well served if
19 their enrollment in a nutrition-based or other means-
20 tested program could serve as a gateway to health
21 coverage.

22 (5) Existing law already allows children to be
23 found income eligible for WIC based on their enroll-
24 ment in the medicaid program. Current law does
25 not, however, give States adequate flexibility to

1 make an income determination for eligibility for the
2 medicaid or State children’s health insurance pro-
3 gram based on an uninsured child’s enrollment in
4 WIC or another public program.

5 (b) PURPOSE.—The purpose of this Act is to give
6 States the flexibility to find children income eligible for
7 the medicaid program or State children’s health insurance
8 program based on the fact that the children are eligible
9 for nutrition assistance or similar public programs with
10 comparable income standards and methodologies.

11 **SEC. 3. STATE OPTION TO PROVIDE FOR SIMPLIFIED DE-**
12 **TERMINATIONS OF A CHILD’S FINANCIAL ELI-**
13 **GIBILITY FOR MEDICAL ASSISTANCE UNDER**
14 **MEDICAID OR CHILD HEALTH ASSISTANCE**
15 **UNDER SCHIP.**

16 (a) MEDICAID.—Section 1902(e) of the Social Secu-
17 rity Act (42 U.S.C. 1396a(e)) is amended by adding at
18 the end the following:

19 “(13)(A) At the option of the State, the plan
20 may provide that financial eligibility requirements
21 for medical assistance are met for an individual who
22 is under an age specified by the State (except as
23 provided in subparagraph (C), not to exceed 21
24 years of age) by using a determination made within
25 a reasonable period (as determined by the State) be-

1 fore its use for this purpose, of the individual’s fam-
2 ily or household income, or if applicable for purposes
3 of determining eligibility under this title or title
4 XXI, assets or resources, by a Federal or State
5 agency, or a public or private entity making such de-
6 termination on behalf of such agency, specified by
7 the plan, including (but not limited to) an agency
8 administering the Food Stamp Act of 1977, the
9 Richard B. Russell National School Lunch Act, or
10 the Child Nutrition Act of 1966, notwithstanding
11 any differences in budget unit, disregard, deeming,
12 or other methodology, but only if—

13 “(i) the agency has fiscal liabilities or re-
14 sponsibilities affected or potentially affected by
15 such determination; and

16 “(ii) any information furnished by the
17 agency pursuant to this subparagraph is used
18 solely for purposes of determining eligibility for
19 medical assistance under this title or for child
20 health assistance under title XXI.

21 “(B) Nothing in subparagraph (A) shall be con-
22 strued—

23 “(i) to authorize the denial of medical as-
24 sistance under this title or of child health as-
25 sistance under title XXI to an individual who,

1 without the application of this paragraph, would
2 qualify for such assistance;

3 “(ii) to relieve a State of the obligation
4 under subsection (a)(8) to furnish medical as-
5 sistance with reasonable promptness after the
6 submission of an initial application that is eval-
7 uated or for which evaluation is requested pur-
8 suant to this paragraph; or

9 “(iii) to relieve a State of the obligation to
10 determine eligibility for medical assistance
11 under this title or for child health assistance
12 under title XXI on a basis other than family or
13 household income (or, if applicable, assets or re-
14 sources) if an individual is determined ineligible
15 for such assistance on the basis of information
16 furnished pursuant to this paragraph.

17 “(C) At the option of a State, the financial eli-
18 gibility process described in subparagraph (A) may
19 apply to an individual who is older than age 21 if
20 the individual’s eligibility for medical assistance
21 under this title is based on pregnancy or if the indi-
22 vidual is a parent, guardian, or other caretaker rel-
23 ative of an individual found eligible under subpara-
24 graph (A).”.

1 (b) SCHIP.—Section 2107(e)(1) of the Social Secu-
2 rity Act (42 U.S.C. 1397gg(e)(1)) is amended by adding
3 at the end the following:

4 “(E) Section 1902(e)(13) (relating to the
5 State option to base an individual’s eligibility
6 for assistance on financial determinations made
7 by a program providing nutrition or other pub-
8 lic assistance (except that the State option
9 under subparagraph (C) of such section shall
10 apply under this title only if an individual is
11 pregnant)).”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section take effect on October 1, 2005.

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