110TH CONGRESS
1ST SESSION
H. R. 3584

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2007

Mr. BARTON of Texas (for himself, Mr. DEAL of Georgia, Mr. BOEHNER, Mr. SHIMKUS, Mr. WALDEN of Oregon, Mr. SESSIONS, Mrs. MYRICK, Mr. ROHRABACHER, Mr. PUTNAM, Mr. PITTS, Mr. KINGSTON, Mr. MCCAUL of Texas, Mr. PORTER, Mr. LEWIS of Kentucky, Mr. HASTERT, Mr. WESTMORELAND, Mr. PICKERING, Mr. HASTINGS of Washington, Mr. BURGESS, Mr. BLUNT, Mr. HULSHOF, Mr. RADANOVICH, Mr. BAKER, Mr. BUYER, Mr. HALL of Texas, Mr. HAYES, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. CAMP of Michigan, Mr. STEARNS, Mr. HOEKSTRA, Ms. GRANGER, Mr. MCCOTTER, Mr. PEARCE, Mr. LUCAS, Mr. MICA, Mr. LATOURETTE, Mr. SMITH of Nebraska, Mr. WELLER of Illinois, Mr. TERRY, Mrs. DRAKE, Mr. ADERHOLT, Mr. PRICE of Georgia, Mr. SAM JOHNSON of Texas, Mr. ISSA, Mr. HELLER of Nevada, Mr. SULLIVAN, Mr. ROSKAM, Mr. YOUNG of Alaska, Mr. THORNBERRY, Mr. MANZULLO, Mr. NEUGEBAUER, Mr. REYNOLDS, Mr. ROGERS of Alabama, Mr. NUNES, Mr. BARRETT of South Carolina, Mr. KUHL of New York, Mr. CONAWAY, Mr. SOUDER, Mr. BILBRAY, Mr. GINGREY, Mr. BROWN of South Carolina, Mr. SHUSTER, Mr. BOUSTANY, Mr. WHITFIELD, Mr. KIRK, Mr. LINDER, Mr. MILLER of Florida, Mr. MCCARTHY of California, Mr. SMITH of Texas, Mr. GOHMERT, Mr. CARTER, Mr. MARCHANT, Mr. ROGERS of Michigan, Mr. GALLEGLY, Mr. MCCRERY, Mr. GARY G. MILLER of California, Mr. WAMP, Mr. HERGER, Mr. DAVID DAVIS of Tennessee, Mr. CHABOT, Mr. BONNER, Mr. BOOZMAN, Mr. BILIRAKIS, Mr. CALVERT, Mr. WICKER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BUCHANAN, Mr. ALEXANDER, Mr. DREIER, Mrs. MCMORRIS RODGERS, Mr. POE, Mr. LATHAM, Mr. COBLE, Mr. CASTLE, Mr. DENT, Mr. PETERSON of Pennsylvania, Ms. ROS-LEHTINEN, Mr. RYAN of Wisconsin, Mr. MCKEON, Mrs. MILLER of Michigan, Mr. DAVIS of Kentucky, Mr. GILCHREST, Mr. GRAVES, Mr. TOM DAVIS of Virginia, Mr. ROGERS of Kentucky, Mr. TIBERI, Mr. HUNTER, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. WALBERG, and Mr. JOHNSON of Illinois) introduced the fol-

lowing bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes.

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 "SCHIP Extension Act

5 of 2007".

6 **SEC. 2. EXTENSION OF SCHIP.**

7 Section 2104 of the Social Security Act (42 U.S.C.

8 1397dd) is amended—

9 (1) in subsection (a)—

10 (A) by striking "and" at the end of para-

11 graph (9);

12 (B) by striking the period at the end of

13 paragraph (10) and inserting a semicolon; and

14 (C) by adding at the end the following new

15 paragraph:

16 "(11) for fiscal year 2008, $5,000,000,000; and

17 "(12) for the first 6 months of fiscal year 2009,

18 $2,500,000,000."; and

1 (2) in subsection (c)(4)(B), by striking "and

2 $40,000,000 for fiscal year 2007" and inserting

3 "$40,000,000 for each of fiscal years 2007 and

4 2008, and $20,000,000 for the first 6 months of fis-

5 cal year 2009".

SEC. 3. ADDITIONAL ALLOTMENTS TO ADDRESS SCHIP

FUNDING SHORTFALLS FOR FISCAL YEAR

2008 AND FIRST 6 MONTHS OF FISCAL YEAR

2009.

10 Section 2104 of the Social Security Act (42 U.S.C.

11 1397dd) is amended by adding at the end the following

12 new subsection:

13 "(i) AMOUNTS TO ELIMINATE FUNDING SHORT-

14 FALLS FOR FISCAL YEAR 2008 AND FIRST 6 MONTHS OF

15 FISCAL YEAR 2009.—

16 "(1) IN GENERAL.—From the amounts appro-

17 priated under paragraph (4) for a shortfall period

18 (as defined in paragraph (5)), the Secretary shall

19 allot to each shortfall State described in paragraph

20 (2) for such period such amount as the Secretary

21 determines will eliminate the estimated shortfall de-

22 scribed in paragraph (2) for the State for the short-

23 fall period.

24 "(2) SHORTFALL STATE DESCRIBED.—For pur-

25 poses of paragraph (1), a shortfall State described

1 in this paragraph for a shortfall period is a State
2 with a State child health plan approved under this
3 title for which the Secretary estimates, on the basis
4 of the most recent data available to the Secretary as
5 of a date (specified by the Secretary) during the
6 shortfall period, that the projected Federal expendi-
7 tures under such plan for the State for the shortfall
8 period will exceed the sum of—

9 　　　"(A) the amount of the State's allotments
10 　　for the two fiscal years ending before the short-
11 　　fall period that will not be expended by the end
12 　　of the more recent such fiscal year;

13 　　　"(B) the amount of the State's allotment
14 　　for the shortfall period; and

15 　　　"(C) the amounts, if any, that are to be re-
16 　　distributed to the State during the shortfall pe-
17 　　riod in accordance with subsection (f).

18 　　"(3) PRORATION RULE.—If the amount avail-
19 able under paragraph (4) for a shortfall period is
20 less than the total amount of the estimated short-
21 falls determined by the Secretary under paragraph
22 (1) for such period, the amount of the estimated
23 shortfall for each shortfall State determined under
24 such paragraph for such period shall be reduced pro-
25 portionally.

1   "(4) APPROPRIATION; ALLOTMENT AUTHOR-

2   ITY.—For the purpose of providing additional allot-

3   ments to shortfall States under this subsection—

4   "(A) FISCAL YEAR 2008.—For the shortfall

5   period specified in paragraph (5)(A), there is

6   appropriated, out of any funds in the Treasury

7   not otherwise appropriated, such sums as are

8   necessary for such fiscal year, but not to exceed

9         $1,500,000,000.

10   "(B) FIRST 6 MONTHS OF FISCAL YEAR

11   2009.—For the shortfall period specified in

12   paragraph (5)(B), there is appropriated, out of

13   any funds in the Treasury not otherwise appro-

14   priated, such sums as are necessary for such

15   period, but not to exceed $1,100,000,000.

16   "(5) SHORTFALL PERIODS SPECIFIED.—For

17   purposes of this subsection, each of the following is

18   a 'shortfall period':

19   "(A) Fiscal year 2008.

20   "(B) The first 6 months of fiscal year

21   2009.".

1 **SEC. 4. OPTION FOR QUALIFYING STATES TO RECEIVE THE**

2 **ENHANCED PORTION OF THE SCHIP MATCH-**

3 **ING RATE FOR MEDICAID COVERAGE OF CER-**

4 **TAIN CHILDREN.**

5 Section 2105(g) of the Social Security Act (42 U.S.C.

6 1397ee(g)) is amended—

7 (1) in paragraph (1)(A), by inserting "subject

8 to paragraph (4)," after "Notwithstanding any other

9 provision of law,"; and

10 (2) by adding at the end the following new

11 paragraph:

12 "(4) OPTION FOR ALLOTMENTS.—

13 "(A) PAYMENT OF ENHANCED PORTION OF

14 MATCHING RATE FOR CERTAIN EXPENDI-

15 TURES.—In the case of expenditures described

16 in subparagraph (B), a qualifying State (as de-

17 fined in paragraph (2)) may elect to be paid

18 from the State's allotment made under section

19 2104 for any fiscal year (beginning with fiscal

20 year 2008) (insofar as the allotment is available

21 to the State under subsections (e) and (i) of

22 such section) an amount each quarter equal to

23 the additional amount that would have been

24 paid to the State under title XIX with respect

25 to such expenditures if the enhanced FMAP (as

26 determined under subsection (b)) had been sub-

1   stituted for the Federal medical assistance per-

2   centage (as defined in section 1905(b)).

3   "(B) EXPENDITURES DESCRIBED.—For

4   purposes of subparagraph (A), the expenditures

5   described in this subparagraph are expenditures

6   made after the date of the enactment of this

7   paragraph and during the period in which funds

8   are available to the qualifying State for use

9   under subparagraph (A), for the provision of

10   medical assistance to individuals residing in the

11   State who are eligible for medical assistance

12   under the State plan under title XIX or under

13   a waiver of such plan and who have not at-

14   tained age 19, and whose family income equals

15   or exceeds 133 percent of the poverty line but

16   does not exceed the Medicaid applicable income

17   level.".

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