

110TH CONGRESS
1ST SESSION

S. 401

To amend title XXI of the Social Security Act to eliminate funding shortfalls for the State Children’s Health Insurance Program (SCHIP) for fiscal year 2007.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2007

Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. KENNEDY, Ms. COLLINS, Mr. MENENDEZ, Mr. REED, Ms. MIKULSKI, Mr. DURBIN, Mr. OBAMA, Mr. FEINGOLD, Mr. KERRY, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mrs. McCASKILL, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XXI of the Social Security Act to eliminate funding shortfalls for the State Children’s Health Insurance Program (SCHIP) for fiscal year 2007.

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 “Keep Children Covered
5 Act of 2007”.

1 **SEC. 2. ELIMINATION OF SCHIP FUNDING SHORTFALLS**
 2 **FOR FISCAL YEAR 2007.**

3 (a) ELIMINATION OF REMAINDER OF FUNDING
 4 SHORTFALLS, TIERED MATCH, AND OTHER LIMITATION
 5 ON EXPENDITURES.—Section 2104(h) of the Social Secu-
 6 rity Act (42 U.S.C. 1397dd(h)), as added by section
 7 201(a) of the National Institutes of Health Reform Act
 8 of 2006 (Public Law 109–482), is amended—

9 (1) in the heading for paragraph (2), by strik-
 10 ing “REMAINDER OF REDUCTION” and inserting
 11 “PART OF”; and

12 (2) by striking paragraph (4) and inserting the
 13 following:

14 “(4) ADDITIONAL AMOUNTS TO ELIMINATE RE-
 15 MAINDER OF FISCAL YEAR 2007 FUNDING SHORT-
 16 FALLS.—

17 “(A) IN GENERAL.—The Secretary shall
 18 allot to each remaining shortfall State described
 19 in subparagraph (B) such amount as the Sec-
 20 retary determines will eliminate the estimated
 21 shortfall described in such subparagraph for the
 22 State for fiscal year 2007.

23 “(B) REMAINING SHORTFALL STATE DE-
 24 SCRIBED.—For purposes of subparagraph (A),
 25 a remaining shortfall State is a State with a
 26 State child health plan approved under this title

1 for which the Secretary estimates, on the basis
2 of the most recent data available to the Sec-
3 retary as of the date of enactment of this para-
4 graph, that the projected federal expenditures
5 under such plan for the State for fiscal year
6 2007 will exceed the sum of—

7 “(i) the amount of the State’s allot-
8 ments for each of fiscal years 2005 and
9 2006 that will not be expended by the end
10 of fiscal year 2006;

11 “(ii) the amount of the State’s allot-
12 ment for fiscal year 2007; and

13 “(iii) the amounts, if any, that are to
14 be redistributed to the State during fiscal
15 year 2007 in accordance with paragraphs
16 (1) and (2).

17 “(C) APPROPRIATION; ALLOTMENT AU-
18 THORITY.—For the purpose of providing addi-
19 tional allotments to remaining shortfall States
20 under this paragraph there is appropriated, out
21 of any funds in the Treasury not otherwise ap-
22 propriated, such sums as are necessary for fis-
23 cal year 2007.”.

1 (b) CONFORMING AMENDMENTS.—Section 2104(h)
2 of such Act (42 U.S.C. 1397dd(h)) (as so added), is
3 amended—

4 (1) in paragraph (1)(B), by striking “subject to
5 paragraph (4)(B) and”;

6 (2) in paragraph (2)(B), by striking “subject to
7 paragraph (4)(B) and”;

8 (3) in paragraph (5)(A), by striking “and (3)”
9 and inserting “(3), and (4)”; and

10 (4) in paragraph (6), by striking “and (3)” and
11 inserting “(3), and (4)”.

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