

110TH CONGRESS
1ST SESSION

S. 546

To amend title XXI of the Social Security Act to make available additional amounts to address funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2007

Mr. CHAMBLISS (for himself and Mr. ISAKSON) 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 make available additional amounts to address funding shortfalls in the State Children's Health Insurance Program 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. ADDITIONAL AMOUNTS TO ADDRESS SCHIP**
4 **FUNDING SHORTFALLS FOR FISCAL YEAR**
5 **2007.**

6 (a) IN GENERAL.—Section 2104(h) of the Social Se-
7 curity Act (42 U.S.C. 1397dd(h)), as added by section

1 201(a) of the National Institutes of Health Reform Act
 2 of 2006, is amended—

3 (1) in the heading for paragraph (2), by strik-
 4 ing “REMAINDER OF REDUCTION” and inserting
 5 “PART”;

6 (2) by redesignating paragraphs (4) through
 7 (7) as paragraphs (5) through (8), respectively;

8 (3) in each of subparagraphs (A) and (B) of
 9 paragraph (6) (as redesignated by subparagraph (B)
 10 of this paragraph), by striking “and (3)” and insert-
 11 ing “(3), and (4)”;

12 (4) in paragraph (7) (as so redesignated), by
 13 striking “and (3) in accordance with paragraph (5)”
 14 and inserting “(3), and (4) in accordance with para-
 15 graph (6)”;

16 (5) by inserting after paragraph (3), the fol-
 17 lowing:

18 “(4) SPECIAL RULES FOR ADDITIONAL REDIS-
 19 TRIBUTION OF AMOUNTS NECESSARY TO ADDRESS
 20 FISCAL YEAR 2007 FUNDING SHORTFALLS.—With re-
 21 spect to months beginning during fiscal year 2007
 22 after April 30, 2007, the Secretary shall apply this
 23 subsection in accordance with the following rules:

24 “(A) ADDITIONAL REDISTRIBUTION OF
 25 CERTAIN UNEXPENDED 2005 ALLOTMENTS.—

“(i) Paragraphs (2)(A), (2)(B), (3)(A), and (3)(B) shall be applied by substituting ‘April 30’ for ‘March 31’ each place it appears.

“(ii) Paragraph (3)(C) shall be applied—

“(I) by substituting ‘the amount described in subparagraph (A)(ii)(I) shall not be available for expenditure by the State on or after May 1, 2007’ for ‘the applicable amount described in clause (ii) shall not be available for expenditure by the State on or after April 1, 2007’; and

“(II) without regard to clause (ii).

“(iii) Paragraph (2)(B)(ii) shall be applied by substituting ‘paragraph (1) and this paragraph (for months beginning during fiscal year 2007 after March 31, 2007)’ for ‘paragraph (1)’.

“(iv) The heading for paragraph (3) shall be applied by substituting ‘7 MONTHS’ for ‘HALF’.

1 “(v) Without regard to that portion of
 2 paragraph (6)(A) that begins with ‘, but in
 3 no case’ and ends with ‘March 31, 2007’.

4 “(B) REDISTRIBUTION OF CERTAIN UNEX-
 5 PENDED 2006 ALLOTMENTS.—After applying
 6 this subsection in accordance with subpara-
 7 graph (A), the Secretary shall further apply
 8 this subsection in accordance with the following
 9 rules:

10 “(i) Paragraph (3)(A)(i) shall be ap-
 11 plied by substituting ‘fiscal year 2006’ for
 12 ‘fiscal year 2005’.

13 “(ii) Paragraph (3)(B) shall be ap-
 14 plied by substituting ‘fiscal year 2008’ for
 15 ‘fiscal year 2007’.

16 “(iii) Paragraph (3)(C)(i) shall be ap-
 17 plied by substituting ‘May 1’ for ‘April 1’.

18 “(iv) Paragraph (3)(C) shall be ap-
 19 plied by substituting the following clause
 20 for clause (ii) of such paragraph:

21 ““(ii) APPLICABLE AMOUNT.—For
 22 purposes of clause (i), the applicable
 23 amount described in this clause is—

24 ““(I) the amount by which (aa)
 25 the amount described in subparagraph

(A)(ii)(I), exceeds (bb) the total of the amounts the Secretary determines will eliminate the estimated shortfalls for all States described in paragraph (2)(B) (after the application of subparagraph (A)) for the fiscal year; multiplied by

“(II) the ratio of the amount described in subparagraph (A)(ii)(I) with respect to the State to the total the amounts described in subparagraph (A)(ii)(I) for all States.’”.

“(v) Paragraph (6)(B) shall be applied—

“(I) by substituting ‘2005 OR 2006’ for ‘2005’; and

“(II) by substituting ‘fiscal year 2005 under subsection (b) that remain unexpended through the end of fiscal year 2007 or fiscal year 2006 under such subsection that remain unexpended through the end of fiscal year 2008’ for ‘fiscal year 2005 under subsection (b) that remain unex-

1 pended through the end of fiscal year
2 2007’.

3 “(vi) Without regard to—

4 “(I) that portion of paragraph
5 (6)(A) that begins with ‘, but in no
6 case’ and ends with ‘March 31, 2007’;
7 and

8 “(II) paragraph (6)(C)(i).”.

9 (b) ADDITIONAL CONFORMING AMENDMENTS.—Sec-
10 tion 2104(h) of the Social Security Act (42 U.S.C.
11 1397dd(h)) (as so added) is further amended—

12 (1) in paragraph (1)(B), by striking “para-
13 graph (4)(B)” and inserting “paragraph (5)(B)”;
14 and

15 (2) in paragraph (2)—

16 (A) in subparagraph (A), by striking
17 “paragraph (5)(B)” and inserting “paragraph
18 (6)(B)”;

19 (B) in subparagraph (B), by striking
20 “paragraph (4)(B)” and inserting “paragraph
21 (5)(B)”.

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