

111TH CONGRESS
1ST SESSION

H. R. 2496

To amend title XXI of the Social Security Act to improve access to the children's health insurance program (CHIP) by providing exemptions to CHIP eligibility waiting period requirements.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2009

Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. TIM MURPHY of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XXI of the Social Security Act to improve access to the children's health insurance program (CHIP) by providing exemptions to CHIP eligibility waiting period requirements.

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 Health In-
5 surance Accessibility Act of 2009”.

1 **SEC. 2. PREVENTING THE APPLICATION UNDER CHIP OF**
 2 **COVERAGE WAITING PERIODS TO CHILDREN**
 3 **WHO LOSE HEALTH INSURANCE COVERAGE,**
 4 **WHO ARE UNDER 2 YEARS OF AGE, OR FOR**
 5 **WHOM HEALTH INSURANCE COVERAGE IS**
 6 **UNAFFORDABLE.**

7 (a) IN GENERAL.—Section 2102(b)(1) of the Social
 8 Security Act (42 U.S.C. 1397bb(b)(1)) is amended—

9 (1) in subparagraph (B)—

10 (A) in clause (iii), by striking “and” at the
 11 end;

12 (B) in clause (iv), by striking the period at
 13 the end and inserting “; and”; and

14 (C) by adding at the end the following new
 15 clause:

16 “(v) may not apply a waiting period
 17 (including a waiting period to carry out
 18 paragraph (3)(C)) in the case of a child
 19 described in subparagraph (C).”; and

20 (2) by adding at the end the following new sub-
 21 paragraph:

22 “(C) DESCRIPTION OF CHILDREN NOT
 23 SUBJECT TO WAITING PERIOD.—For purposes
 24 of this paragraph, a child described in this sub-
 25 paragraph is a child who, on the date an appli-
 26 cation is submitted for such child for child

1 health assistance under this title, meets any of
2 the following requirements:

3 “(i) INFANTS AND TODDLERS.—The
4 child is under two years of age.

5 “(ii) LOSS OF GROUP HEALTH PLAN
6 COVERAGE.—The child previously had pri-
7 vate health insurance coverage through a
8 group health plan or health insurance cov-
9 erage offered through an employer and lost
10 such coverage due to—

11 “(I) termination of an individ-
12 ual’s employment;

13 “(II) a reduction in hours that
14 an individual works for an employer;

15 “(III) elimination of an individ-
16 ual’s retiree health benefits; or

17 “(IV) termination of an individ-
18 ual’s group health plan or health in-
19 surance coverage offered through an
20 employer.

21 “(iii) UNAFFORDABLE PRIVATE COV-
22 ERAGE.—

23 “(I) IN GENERAL.—The family of
24 the child demonstrates that the cost
25 of health insurance coverage (includ-

1 ing the cost of premiums, co-pay-
2 ments, deductibles, and other cost
3 sharing) for such family exceeds 10
4 percent of the income of such family.

5 “(II) DETERMINATION OF FAM-
6 ILY INCOME.—For purposes of sub-
7 clause (I), family income shall be de-
8 termined in the same manner speci-
9 fied by the State for purposes of de-
10 termining a child’s eligibility for child
11 health assistance under this title.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect as of the date that is 90 days
14 after the date of the enactment of this Act.

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