

112TH CONGRESS  
2D SESSION

# H. R. 6006

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2012

Mr. ENGEL (for himself and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

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 “Early Treatment for  
5   HIV Act of 2012”.

### 6   **SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME** 7       **HIV-INFECTED INDIVIDUALS.**

8       (a) IN GENERAL.—Section 1902 of the Social Secu-  
9   rity Act (42 U.S.C. 1396a) is amended—

10               (1) in subsection (a)(10)(A)(ii)—

1 (A) in subclause (XXI), by striking “or” at  
 2 the end;

3 (B) in subclause (XXII), by adding “or” at  
 4 the end; and

5 (C) by adding at the end the following:

6 “(XXIII) who are described in subsection (ll)  
 7 (relating to HIV-infected individuals);”; and

8 (2) by adding at the end the following:

9 “(ll) Individuals described in this subsection are indi-  
 10 viduals not described in subsection (a)(10)(A)(i)—

11 “(1) who have HIV infection;

12 “(2) whose income (as determined under the  
 13 State plan under this title with respect to disabled  
 14 individuals) does not exceed the maximum amount  
 15 of income a disabled individual described in sub-  
 16 section (a)(10)(A)(i) may have and obtain medical  
 17 assistance under the plan; and

18 “(3) whose resources (as determined under the  
 19 State plan under this title with respect to disabled  
 20 individuals) do not exceed the maximum amount of  
 21 resources a disabled individual described in sub-  
 22 section (a)(10)(A)(i) may have and obtain medical  
 23 assistance under the plan.”.

24 (b) ENHANCED MATCH.—The first sentence of sec-  
 25 tion 1905(b) of the Social Security Act (42 U.S.C.

1 1396d(b)) is amended by striking “section  
 2 1902(a)(10)(A)(ii)(XVIII)” and inserting “subclause  
 3 (XVIII) or (XXIII) of section 1902(a)(10)(A)(ii)”.

4 (c) CONFORMING AMENDMENTS.—Section 1905(a) of  
 5 the Social Security Act (42 U.S.C. 1396d(a)) is amended  
 6 in the matter preceding paragraph (1)—

7 (1) by striking “or” at the end of clause (xvi);

8 (2) by adding “or” at the end of clause (xvii);

9 and

10 (3) by inserting after clause (xvii) the following:

11 “(xviii) individuals described in sec-  
 12 tion 1902(ll);”.

13 (d) EXEMPTION FROM FUNDING LIMITATION FOR  
 14 TERRITORIES.—Section 1108(g) of the Social Security  
 15 Act (42 U.S.C. 1308(g)) is amended by adding at the end  
 16 the following:

17 “(4) DISREGARDING MEDICAL ASSISTANCE FOR  
 18 OPTIONAL LOW-INCOME HIV-INFECTED INDIVID-  
 19 UALS.—The limitations under subsection (f) and the  
 20 previous provisions of this subsection shall not apply  
 21 to amounts expended for medical assistance for indi-  
 22 viduals described in section 1902(ll) who are only el-  
 23 igible for such assistance on the basis of section  
 24 1902(a)(10)(A)(ii)(XXIII).”.

1       (e) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to calendar quarters beginning on  
3 or after the date of the enactment of this Act, without  
4 regard to whether or not final regulations to carry out  
5 such amendments have been promulgated by such date.

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