

113TH CONGRESS
1ST SESSION

H. R. 1404

To amend title XIX of the Social Security Act to eliminate the increased Federal medical assistance percentage under the State plan with respect to newly eligible mandatory individuals under Medicaid, to provide States with greater flexibility under Medicaid, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2013

Mr. SALMON (for himself, Mr. LAMALFA, Mr. SCHWEIKERT, Mr. FRANKS of Arizona, Mrs. BLACK, and Mr. HUNTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to eliminate the increased Federal medical assistance percentage under the State plan with respect to newly eligible mandatory individuals under Medicaid, to provide States with greater flexibility under Medicaid, 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 “Medicaid Expansion
5 Repeal and State Flexibility Act”.

1 **SEC. 2. ELIMINATING INCREASED FMAP UNDER STATE**
2 **PLAN WITH RESPECT TO NEWLY ELIGIBLE**
3 **MANDATORY INDIVIDUALS AND RELATED EQ-**
4 **UITABLE SUPPORT FOR CERTAIN STATES.**

5 (a) IN GENERAL.—Section 1905 of the Social Secu-
6 rity Act (42 U.S.C. 1396d) is amended by striking sub-
7 sections (y) and (z).

8 (b) CONFORMING AMENDMENTS.—Section 1905 of
9 the Social Security Act (42 U.S.C. 1396d), as amended
10 by subsection (a), is further amended—

11 (1) in subsection (b), by striking “subsections
12 (y), (z), and (aa)” and inserting “subsection (aa)”;

13 (2) in subsection (aa), by striking “, sub-
14 sections (y) and (z),” each place it appears; and

15 (3) in the first sentence of subsection (cc)—

16 (A) by striking “subsections (y), (z), and
17 (aa)” and inserting “subsection (aa)”;

18 (B) by striking “such subsections” and in-
19 serting “such subsection”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply with respect to payments to States
22 for items and services furnished on or after the first day
23 of the first State fiscal year that begins after the date
24 of the enactment of this Act.

1 **SEC. 3. PROVIDING GREATER FLEXIBILITY TO STATES BY**
2 **ELIMINATING CERTAIN REQUIREMENTS IM-**
3 **POSED BY PATIENT PROTECTION AND AF-**
4 **FORDABLE CARE ACT.**

5 (a) REPEAL OF MAINTENANCE OF EFFORT RE-
6 QUIREMENT.—Section 1902 of the Social Security Act (42
7 U.S.C. 1396a) is amended by striking subsection (gg).

8 (b) REPEAL OF MINIMUM ESSENTIAL COVERAGE RE-
9 QUIREMENT FOR MEDICAID BENCHMARK BENEFITS.—
10 Section 1937(b) of the Social Security Act (42 U.S.C.
11 1396u–7(b)) is amended by striking paragraph (5).

12 (c) CONFORMING AMENDMENTS.—

13 (1) STATE PLAN REQUIREMENTS.—Section
14 1902(a) of the Social Security Act (42 U.S.C.
15 1396a(a)) is amended by striking paragraph (74).

16 (2) MODIFIED ADJUSTED GROSS INCOME.—
17 Paragraph (14)(A) (related to modified adjusted
18 gross income) of section 1902(e) of the Social Secu-
19 rity Act (42 U.S.C. 1396a(e)), as added by section
20 2002(a) of the Patient Protection and Affordable
21 Care Act (Public Law 111–148), is amended by
22 striking the third sentence.

23 (3) BENCHMARK BENEFIT PACKAGES.—Section
24 1937(b) of the Social Security Act (42 U.S.C.
25 1396u–7(b)) is amended—

1 (A) in paragraph (1), in the matter pre-
2 ceding subparagraph (A), by striking “para-
3 graphs (5) and (6)” and inserting “paragraph
4 (6)”; and

5 (B) in paragraph (2), in the matter pre-
6 ceding subparagraph (A), by striking “para-
7 graphs (5) and (6)” and inserting “paragraph
8 (6)”.
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