

114TH CONGRESS
2D SESSION

H. R. 5362

To amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2016

Mr. KENNEDY 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 provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services, 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 “Mental and Behavioral
5 Health Care Bump Act of 2016”.

1 **SEC. 2. HIGHER FMAP FOR INCREASED EXPENDITURES**
2 **UNDER MEDICAID FOR MENTAL AND BEHAV-**
3 **IORAL HEALTH SERVICES.**

4 (a) IN GENERAL.—Section 1903(a)(5) of the Social
5 Security Act (42 U.S.C. 1396b(a)(5)) is amended—

6 (1) by striking “an amount equal” and insert-
7 ing “(A) an amount equal”; and

8 (2) by adding at the end the following: “and
9 “(B) an amount equal to 90 percent of the
10 amounts by which—

11 “(i) the sum of the amounts expended
12 which are attributable to the offering, arrang-
13 ing, and furnishing (directly or on a contract
14 basis) under the State plan of mental and be-
15 havioral health services (including those related
16 to substance use) for such quarter, exceeds

17 “(ii) the sum of the amounts expended
18 which are attributable to the offering, arrang-
19 ing, and furnishing (directly or on a contract
20 basis) under the State plan of such services for
21 the corresponding quarter in the four-quarter
22 period ending on March 31, 2016; plus”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall apply with respect to calendar quarters
25 beginning on or after January 1, 2017.

1 **SEC. 3. MACPAC REPORT REGARDING MENTAL AND BEHAV-**
2 **IORAL HEALTH SERVICES.**

3 Section 1900(b)(6) of the Social Security Act (42
4 U.S.C. 1396(b)(6)) is amended by adding at the end the
5 following new subparagraph:

6 “(C) ANNUAL REPORTS REGARDING MEN-
7 TAL AND BEHAVIORAL HEALTH SERVICES.—

8 “(i) IN GENERAL.—For each year (be-
9 ginning with 2017), MACPAC shall submit
10 to Congress a report on mental and behav-
11 ioral health services under this title in each
12 State selected under clause (iii) for such
13 year. Such report shall include information
14 on the following under this title for each
15 such State:

16 “(I) Payment rates for such serv-
17 ices.

18 “(II) The rationale for deriving
19 such payment rates.

20 “(III) Utilization of such serv-
21 ices.

22 “(ii) AVAILABILITY OF DHHS INFOR-
23 MATION.—The Secretary shall periodically
24 provide to MACPAC such information on
25 mental and behavioral health services fur-
26 nished to individuals receiving benefits

1 under this title as MACPAC may request
2 for purposes of preparing a report required
3 under this subparagraph.

4 “(iii) SELECTION OF STATES.—

5 “(I) IN GENERAL.—For each
6 year (beginning with 2017), MACPAC
7 shall select, subject to subclause (II),
8 for purposes of the report required
9 under clause (i) for such year not
10 fewer than five States that, to the
11 greatest extent possible, vary with re-
12 spect to geography, demography, and
13 the manner in which mental and be-
14 havioral health services are furnished
15 under this title.

16 “(II) ENSURING EVENTUAL SE-
17 LECTION OF ALL STATES.—A State
18 that has been selected for a year may
19 not be selected for a subsequent year
20 unless all other States have been se-
21 lected during the period beginning
22 with such year and ending with such
23 subsequent year.”.

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