

114TH CONGRESS
2D SESSION

H. R. 5562

To amend title XIX of the Social Security Act to provide for Congressional appointment of members of the Medicaid and CHIP Payment Advisory Commission (MACPAC).

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2016

Mr. GRIFFITH 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 for Congressional appointment of members of the Medicaid and CHIP Payment Advisory Commission (MACPAC).

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. CONGRESSIONAL APPOINTMENT OF MEMBERS**
4 **OF MACPAC.**

5 (a) IN GENERAL.—Section 1900(c) of the Social Se-
6 curity Act (42 U.S.C. 1396(c)) is amended—

7 (1) in paragraph (1), by striking the period at
8 the end and inserting the following: “, except that

1 for terms beginning on or after January 1, 2017,
2 such members shall be appointed as follows:

3 “(A) Six by the Speaker of the House of
4 Representatives, in consultation with the chair-
5 man of the Committee on Energy and Com-
6 merce of the House of Representatives.

7 “(B) Three by the minority leader of the
8 House of Representatives, in consultation with
9 the ranking member of such Committee.

10 “(C) Five by the majority leader of the
11 Senate, in consultation with the chairman of
12 the Committee on Finance of the Senate.

13 “(D) Three by the minority leader of the
14 Senate, in consultation with the ranking mem-
15 ber of such Committee.”;

16 (2) by amending paragraph (2) to read as fol-
17 lows:

18 “(2) APPLICATION OF ETHICS RULES.—Mem-
19 bers of MACPAC shall be treated as employees of
20 Congress for purposes of applying title I of the Eth-
21 ics in Government Act of 1978 (Public Law 95–
22 521).”;

23 (3) in paragraph (3)(A), by inserting “or Con-
24 gressional officials (as may be applicable)” after
25 “Comptroller General of the United States”; and

(4) in paragraph (5), by inserting before the period at the end the following: “and, beginning January 1, 2017, MACPAC shall elect a member as Chairman and a member as Vice Chairman”.

(b) TRANSITION.—

(1) INITIAL APPOINTMENT.—The terms of members of the Medicaid and CHIP Payment and Access Commission, as in effect as of the date of the enactment of this Act, shall all expire on December 31, 2016. Congressional officials shall appoint new members to the Commission pursuant to the amendment made by subsection (a)(1) and the terms of such new members shall begin on January 1, 2017, and shall be staggered consistent with paragraph (2). Nothing in this section shall be construed as preventing a Congressional official from appointing under such amendment an individual who is serving as a member of such Commission before January 1, 2017.

(2) STAGGERING TERMS FOR INITIAL APPOINTMENTS.—The terms of the individuals first appointed under the amendment made by subsection (a)(1) shall begin on January 1, 2017, and shall (pursuant to the amendment made by subsection

(a)(3)) be staggered as follows (as designated by the appointing official at the time of appointment):

(A) SPEAKER APPOINTMENTS.—For members appointed by the Speaker of the House of Representatives, two for a term of 3 years, two for a term of 2 years, and two for a term of 1 year.

(B) HOUSE MINORITY LEADER’S APPOINTMENTS.—For members appointed by the minority leader of the House of Representatives, one for a term of 3 years, one for a term of 2 years, and one for a term of 1 year.

(C) SENATE MAJORITY LEADER’S APPOINTMENTS.—For members appointed by the majority leader of the Senate, one for a term of 3 years, two for a term of 2 years, and two for a term of 1 year.

(D) SENATE MINORITY LEADER’S APPOINTMENTS.—For members appointed by the minority leader of the Senate, one for a term of 3 years, one for a term of 2 years, and one for a term of 1 year.

○