

115TH CONGRESS
2D SESSION

H. R. 7101

To amend titles II and XIX of the Social Security Act remove the age limit on the Medicaid buy-program, to remove work restrictions on disabled adult children who have reached retirement age, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2018

Mr. WELCH introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles II and XIX of the Social Security Act remove the age limit on the Medicaid buy-program, to remove work restrictions on disabled adult children who have reached retirement age, 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. REMOVING THE AGE LIMIT ON THE MEDICAID**
4 **BUY-IN PROGRAM.**

5 Title XIX of the Social Security Act (42 U.S.C. 1396
6 et seq.) is amended—

1 (1) in section 1902(a)(10)(A)(ii)(XV), by strik-
 2 ing “, but less than 65,”; and

3 (2) in section 1905(v)(1)(A), by striking “, but
 4 less than 65.”.

5 **SEC. 2. REMOVING WORK RESTRICTIONS ON DISABLED**
 6 **ADULT CHILDREN AFTER RETIREMENT AGE.**

7 Section 223(e) of the Social Security Act (42 U.S.C.
 8 423(e)) is amended—

9 (1) in paragraph (1), by striking “No benefit”
 10 and inserting “Subject to paragraph (3), no ben-
 11 efit”; and

12 (2) by adding at the end the following new
 13 paragraph:

14 “(3) Paragraph (1) shall not apply in the case of a
 15 child’s insurance benefit under section 202(d)(1)(B)(ii)
 16 that is payable to an individual who has attained retire-
 17 ment age (as defined in section 216(l)).”.

18 **SEC. 3. REENTITLEMENT TO DAC BENEFIT FOR CERTAIN**
 19 **FORMER DISABLED ADULT CHILDREN.**

20 Section 202(d) of the Social Security Act (42 U.S.C.
 21 402(d)) is amended by adding at the end the following
 22 new paragraph:

23 “(11)(A) A child whose entitlement to child’s insur-
 24 ance benefits on the basis of paragraph (1)(B)(ii) termi-
 25 nated with the termination month (as defined for purposes

1 of paragraph (1)(G)) may again become entitled to such
2 benefits (provided no event specified in paragraph (1)(D)
3 has occurred) beginning with the first month thereafter
4 in which the child attains retirement age (as defined in
5 section 216(l)(1)), but only if—

6 “(i) the child had attained early retirement age
7 (as defined in section 216(l)(2)) but had not at-
8 tained retirement age (as defined in section
9 216(l)(1)) when such benefits were terminated;

10 “(ii) the child engaged in substantial gainful ac-
11 tivity during the period after the child attained early
12 retirement age (as so defined), but did not experi-
13 ence medical improvement that could have, by itself,
14 served as the basis for terminating the individual’s
15 child’s insurance benefits;

16 “(iii) the child is under a disability (as defined
17 in section 223(d)) at the time the child attains re-
18 tirement age (as so defined); and

19 “(iv) the child has filed application for such re-
20 entitlement.

21 “(B) Reentitlement to child’s insurance benefits
22 under this paragraph shall end with the month preceding
23 the first month in which an event specified in paragraph
24 (1)(D) occurs.”.

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