

116TH CONGRESS  
2D SESSION

# H. R. 9008

To remove barriers to health care and nutrition assistance for children, pregnant persons, and lawfully present individuals, under the Medicaid program under title XIX of the Social Security Act, the Children's Health Insurance Program under title XXI of such Act, and under the supplemental nutrition assistance program under the Food and Nutrition Act of 2008, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2020

Mr. GARCÍA of Illinois introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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

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## A BILL

To remove barriers to health care and nutrition assistance for children, pregnant persons, and lawfully present individuals, under the Medicaid program under title XIX of the Social Security Act, the Children's Health Insurance Program under title XXI of such Act, and under the supplemental nutrition assistance program under the Food and Nutrition Act of 2008, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Health and Nutrition  
3 Access for All Act”.

4 **SEC. 2. REMOVING BARRIERS TO HEALTH CARE AND NU-**  
5 **TRITION ASSISTANCE FOR CHILDREN, PREG-**  
6 **NANT PERSONS, AND LAWFULLY PRESENT IN-**  
7 **DIVIDUALS.**

8       (a) MEDICAID.—Section 1903(v) of the Social Secu-  
9 rity Act (42 U.S.C. 1396b(v)) is amended by striking  
10 paragraph (4) and inserting the following new paragraph:  
11       “(4)(A) Notwithstanding sections 401(a), 402(b),  
12 403, and 421 of the Personal Responsibility and Work Op-  
13 portunity Reconciliation Act of 1996 and paragraph (1),  
14 payment shall be made to a State under this section for  
15 medical assistance furnished to an alien under this title  
16 (including an alien described in such paragraph) who  
17 meets any of the following conditions:

18               “(i) The alien is otherwise eligible for such as-  
19 sistance under the State plan approved under this  
20 title (other than the requirement of the receipt of  
21 aid or assistance under title IV, supplemental secu-  
22 rity income benefits under title XVI, or a State sup-  
23 plementary payment) within either or both of the  
24 following eligibility categories:

25               “(I) Children under 21 years of age, in-  
26 cluding any optional targeted low-income child

1 (as such term is defined in section  
2 1905(u)(2)(B)).

3 “(II) Pregnant persons during pregnancy  
4 and during the 12-month period beginning on  
5 the last day of the pregnancy.

6 “(ii) The alien is lawfully present in the United  
7 States.

8 “(B) No debt shall accrue under an affidavit of sup-  
9 port against any sponsor of an alien who meets the condi-  
10 tions specified in subparagraph (A) on the basis of the  
11 provision of medical assistance to such alien under this  
12 paragraph and the cost of such assistance shall not be con-  
13 sidered as an unreimbursed cost.”.

14 (b) SCHIP.—Subparagraph (N) of section  
15 2107(e)(1) of the Social Security Act (42 U.S.C.  
16 1397gg(e)(1)) is amended to read as follows:

17 “(N) Paragraph (4) of section 1903(v) (re-  
18 lating to coverage of categories of children,  
19 pregnant persons, and other lawfully present in-  
20 dividuals).”.

21 (c) SUPPLEMENTAL NUTRITION ASSISTANCE.—Not-  
22 withstanding sections 401(a), 402(a), and 403(a) of the  
23 Personal Responsibility and Work Opportunity Reconcili-  
24 ation Act of 1996 (8 U.S.C. 1611(a); 1612(a); 1613(a))  
25 and section 6(f) of the Food and Nutrition Act of 2008

1 (7 U.S.C. 2015(f)), persons who are lawfully present in  
 2 the United States shall not be ineligible for benefits under  
 3 the supplemental nutrition assistance program on the  
 4 basis of their immigration status or date of entry into the  
 5 United States.

6 (d) ELIGIBILITY FOR FAMILIES WITH CHILDREN.—  
 7 Section 421(d)(3) of the Personal Responsibility and  
 8 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.  
 9 1631(d)(3)) is amended by striking “to the extent that  
 10 a qualified alien is eligible under section 402(a)(2)(J)”  
 11 and inserting, “to the extent that a child is a member of  
 12 a household under the supplemental nutrition assistance  
 13 program”.

14 (e) ENSURING PROPER SCREENING.—Section  
 15 11(e)(2)(B) of the Food and Nutrition Act of 2008 (7  
 16 U.S.C. 2020(e)(2)(B)) is amended—

17 (1) by redesignating clauses (vi) and (vii) as  
 18 clauses (vii) and (viii); and

19 (2) by inserting after clause (v) the following:

20 “(vi) shall provide a method for imple-  
 21 menting section 421 of the Personal Re-  
 22 sponsibility and Work Opportunity Rec-  
 23 onciliation Act of 1996 (8 U.S.C. 1631)  
 24 that does not require any unnecessary in-

- 1 formation from persons who may be ex-
- 2 empt from that provision;”.

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