

103^D CONGRESS
1ST SESSION

S. 1423

To amend the Social Security Act to improve access to medicaid benefits and to reduce State administrative burdens under the medicaid program.

IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

Mr. CHAFEE (for himself and Mr. BRADLEY) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Social Security Act to improve access to medicaid benefits and to reduce State administrative burdens under the medicaid program.

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; REFERENCE TO SOCIAL SECU-**
4 **RITY ACT.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Medicaid Eligibility Simplification Act.”

7 (b) REFERENCE TO SOCIAL SECURITY ACT.—Except
8 as otherwise specifically provided, whenever in this Act an
9 amendment is expressed in terms of an amendment to or
10 repeal of a section or other provision, the reference shall

1 be considered to be made to that section or other provision
2 of the Social Security Act.

3 **SEC. 2. COVERAGE OF PREGNANCY RELATED SERVICES**
4 **FOR ALIEN WOMEN DURING PREGNANCY.**

5 (a) IN GENERAL.—Section 1903(v) (42 U.S.C.
6 1396b(v)) is amended—

7 (1) in paragraph (1) by striking “paragraph
8 (2)” and inserting “paragraphs (2) and (3)”;

9 (2) in paragraph (2) by striking “only”;

10 (3) by redesignating paragraph (3) as para-
11 graph (4); and

12 (4) by inserting after paragraph (2) the follow-
13 ing new paragraph:

14 “(3) Payment shall be made under this section for
15 care and services that are furnished, at the option of the
16 State, to an alien woman described in paragraph (1) dur-
17 ing pregnancy if—

18 “(A) such care and services would be available
19 to a woman described in section 1902(l)(1)(A), and

20 “(B) such alien woman otherwise meets the eli-
21 gibility requirements for medical assistance under
22 the State plan approved under this title (other than
23 the requirement of the receipt of aid or assistance
24 under title IV, supplemental security income benefits

1 under title XVI, or a State supplementary pay-
2 ment).”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to payments under title XIX of
5 the Social Security Act for calendar quarters beginning
6 on or after October 1, 1993.

7 **SEC. 3. SIMPLIFICATION OF APPLICATION PROCESS FOR**
8 **ALIENS.**

9 (a) IN GENERAL.—Section 1902 (42 U.S.C. 1396a)
10 is amended by adding at the end the following new sub-
11 section:

12 “(z) Notwithstanding any other provision of law, in
13 order to meet the requirements of subsection (a)(46) and
14 section 1137 a State may provide that the signature of
15 an adult representative of each household that is applying
16 for medical assistance under this title is sufficient to com-
17 ply with any provisions of Federal law requiring household
18 members to sign the application or statements in connec-
19 tion with the application process for such medical assist-
20 ance, but only if such representative certifies in writing,
21 under penalty of perjury, that the information contained
22 in the application for medical assistance is true and that
23 all members of the household applying for such medical
24 assistance are either citizens or nationals of the United

1 States or are eligible to receive such assistance under this
2 title.”.

3 (b) CONFORMING AMENDMENT.—Section
4 1902(a)(46) (42 U.S.C. 1936a(a)(46)) is amended by in-
5 serting “except as provided in subsection (z),” after
6 “(46)”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to applications for medical assist-
9 ance under title XIX of the Social Security Act beginning
10 on or after October 1, 1993.

11 **SEC. 4. ELIGIBILITY DETERMINATIONS FOR CERTAIN**
12 **MONTHS IN THE CASE OF INDIVIDUALS WITH**
13 **WEEKLY OR BIWEEKLY INCOME.**

14 (a) IN GENERAL.—Section 1611(c) (42 U.S.C.
15 1382(c)) is amended—

16 (1) in paragraph (1), by inserting “(subject to
17 paragraph (8))” after “An individual’s eligibility for
18 a benefit under this title for a month”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(8)(A) If an individual is paid or otherwise receives
22 income in any month on a regular weekly or biweekly basis
23 (or is deemed under section 1614(f) to have income so
24 paid or received), the determination under paragraph (1)
25 of an individual’s eligibility for benefits under this title

1 for such month shall be made by treating such amounts
2 as having been paid or received on a monthly basis at the
3 same annual rate if such treatment would result in the
4 individual becoming eligible for such benefits.

5 “(B) For purposes of subparagraph (A)—

6 “(i) the annual rate of income being paid to or
7 received by an individual on a weekly basis in any
8 month is 52 times the amount of the weekly income
9 during such month (or of the average weekly income,
10 if there is a change in the actual weekly rate during
11 such month), and the annual rate of income being
12 paid to or received by an individual on a biweekly
13 basis in any month is 26 times the amount of the
14 biweekly income during such month (or of the aver-
15 age biweekly income, if there is a change in the ac-
16 tual biweekly rate during such month); and

17 “(ii) the amount of such income to be consid-
18 ered as being paid to or received by an individual on
19 a regular monthly basis at the ‘same annual rate’ (in
20 such month) is $\frac{1}{12}$ of the annual rate determined
21 under clause (i) with respect to the weekly or bi-
22 weekly income involved.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall become effective with respect to deter-

1 minations of eligibility beginning on or after October 1,
2 1993.

3 **SEC. 5. OPTIONAL REPORTING REQUIREMENTS UNDER**
4 **MEDICAID TRANSITIONAL MEDICAL ASSIST-**
5 **ANCE.**

6 (a) IN GENERAL.—Section 1925(b)(2)(B) (42 U.S.C.
7 1396r-6(b)(2)(B)) is amended—

8 (1) in clause (i), by striking “Each State shall”
9 and inserting “A State may”; and

10 (2) in clause (ii), by striking “Each State shall”
11 and inserting “A State may”.

12 (b) CONFORMING AMENDMENTS.—Section 1925 (42
13 U.S.C. 1396r-6) is amended—

14 (1) in subsection (a)(2)(A), by inserting “, if
15 any,” after “subsection (b)(2)(B)(i)”;

16 (2) in subsection (b)(1), by inserting “, if any,”
17 after “paragraph (2)(B)(i)”;

18 (3) in subsection (b)(2)(A)(i), by inserting “if
19 any,” after “subparagraph (B)(i),” and “subpara-
20 graph (B)(ii),”;

21 (4) in subsection (b)(2)(A)(ii), by inserting “, if
22 any,” after “subparagraph (B)(ii)”;

23 (5) in subsection (b)(3)(A)(iii), by inserting
24 “the State does not require the reporting of such in-
25 formation, or” after “unless”; and

1 (6) the last sentence of subsection (b)(3)(A), is
2 amended to read as follows: “If a State requires a
3 family to report information under paragraph
4 (2)(B)(ii), the State shall make determinations
5 under clause (iii)(III) for a family each time such a
6 report is received.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to eligibility determinations for cal-
9 endar quarters beginning on or after October 1, 1993.

10 **SEC. 6. PRESUMPTIVE ELIGIBILITY FOR PREGNANT**
11 **WOMEN.**

12 (a) QUALIFIED PROVIDER.—Section 1920 (42 U.S.C.
13 1396r-1) is amended in subsection (b)(2) by inserting
14 “any individual who is employed by the State and who
15 is determined by the State agency to be capable of making
16 determinations of the type described in paragraph (1)(A)
17 or” after “the term ‘qualified provider’ means”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to payments under title XIX of
20 the Social Security Act for calendar quarters beginning
21 on or after October 1, 1993.

1 **SEC. 7. MODIFICATION TO INCOME REQUIREMENTS FOR**
2 **PREGNANT WOMEN AND COVERAGE FOR RE-**
3 **PRODUCTIVE HEALTH SERVICES.**

4 (a) COVERAGE FOR REPRODUCTIVE HEALTH SERV-
5 ICES.—Section 1902(e)(6) (42 U.S.C. 1396a(e)(6)) is
6 amended—

7 (1) by striking “(6) In the case” and inserting
8 “(6)(A) In the case”;

9 (2) by inserting “and, with respect to reproduc-
10 tive health services (as defined in subparagraph
11 (B)), such woman shall be deemed to continue to be
12 an individual described in subsection
13 (a)(10)(A)(i)(IV) and subsection (l)(1)(A) without
14 regard to such change of income through the last
15 day of the month in which the 18-month period (be-
16 ginning with the month following the month in
17 which occurs the last day of her pregnancy) ends”
18 after “her pregnancy) ends”; and

19 (3) by adding at the end the following new sub-
20 paragraph:

21 “(B) For purposes of this paragraph, the term “re-
22 productive health services” means—

23 “(i) services related to contraception (including
24 contraceptive supplies), voluntary sterilization,
25 screening for sexually transmitted diseases and can-
26 cer of the reproductive system, preconceptional risk

1 assessment and care, maternity care (including pre-
2 natal, delivery, and postnatal care), and

3 “(ii) services providing information and edu-
4 cation necessary to the effectiveness of the services
5 described in clause (i).

6 (b) EFFECTIVE DATE.—The amendments made by
7 this section shall apply to payments under title XIX of
8 the Social Security Act for calendar quarters beginning
9 on or after October 1, 1993.

10 **SEC. 8. MEDICARE PREMIUMS AND COST-SHARING FOR**
11 **MEDICALLY NEEDY INDIVIDUALS.**

12 (a) IN GENERAL.—Section 1905(p)(1)(B) (42 U.S.C.
13 1396d(p)(1)(B)) is amended by inserting “or, at the op-
14 tion of the State, who is eligible under section
15 1902(a)(10)(C)” after “paragraph (2)”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to payments under title XIX of
18 the Social Security Act for calendar quarters beginning
19 on or after October 1, 1993.

20 **SEC. 9. CLARIFICATION OF INCOME METHODOLOGY USED**
21 **IN DETERMINING ELIGIBILITY OF CERTAIN**
22 **MEDICALLY NEEDY INDIVIDUALS FOR MED-**
23 **ICAID BENEFITS.**

24 (a) IN GENERAL.—Section 1903(f) (42 U.S.C.
25 1396b(f)) is amended—

1 (1) by redesignating paragraph (4) as para-
2 graph (5); and

3 (2) by inserting after paragraph (3) the follow-
4 ing new paragraph:

5 “(4) With respect to the methodology to be
6 used in determining income and resource eligibility
7 for individuals under section 1902(a)(10)(C)(i)(III),
8 the applicable income limitation described in para-
9 graph (1)(B) shall be compared to the adjusted in-
10 come of such individuals after the State income
11 methodology has been applied, including methodol-
12 ogy allowed under section 1902(r)(2).”.

13 (b) CONFORMING AMENDMENT.—Section
14 1903(f)(1)(A) (42 U.S.C. 1396b(f)(1)(A)) is amended by
15 striking “(4)” and inserting “(5)”.

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