

107TH CONGRESS  
1ST SESSION

# S. 724

To amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

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IN THE SENATE OF THE UNITED STATES

APRIL 6, 2001

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

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## A BILL

To amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

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 “Mothers and Newborns  
5 Health Insurance Act of 2001”.

1 **SEC. 2. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**  
2 **SURED PREGNANT WOMEN UNDER A STATE**  
3 **CHILD HEALTH PLAN.**

4 (a) IN GENERAL.—Title XXI of the Social Security  
5 Act (42 U.S.C. 1397aa et seq.) is amended by adding at  
6 the end the following:

7 **“SEC. 2111. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**  
8 **SURED PREGNANT WOMEN.**

9 “(a) OPTIONAL COVERAGE.—Notwithstanding any  
10 other provision of this title, a State child health plan may  
11 provide for coverage of pregnancy-related assistance for  
12 targeted low-income pregnant women in accordance with  
13 this section.

14 “(b) DEFINITIONS.—For purposes of this section:

15 “(1) PREGNANCY-RELATED ASSISTANCE.—The  
16 term ‘pregnancy-related assistance’ has the meaning  
17 given the term ‘child health assistance’ in section  
18 2110(a) as if any reference to targeted low-income  
19 children were a reference to targeted low-income  
20 pregnant women, except that the assistance shall be  
21 limited to services related to pregnancy (which in-  
22 clude prenatal, delivery, and postpartum services)  
23 and to other conditions that may complicate preg-  
24 nancy and shall not include pre-pregnancy services  
25 and supplies.

1           “(2) TARGETED LOW-INCOME PREGNANT  
2 WOMAN.—The term ‘targeted low-income pregnant  
3 woman’ has the meaning given the term ‘targeted  
4 low-income child’ in section 2110(b) as if any ref-  
5 erence to a child were deemed a reference to a  
6 woman during pregnancy and through the end of the  
7 month in which the 60-day period (beginning on the  
8 last day of her pregnancy) ends.

9           “(c) REFERENCES TO TERMS AND SPECIAL  
10 RULES.—In the case of, and with respect to, a State pro-  
11 viding for coverage of pregnancy-related assistance to tar-  
12 geted low-income pregnant women under subsection (a),  
13 the following special rules apply:

14           “(1) Any reference in this title (other than sub-  
15 section (b)) to a targeted low-income child is deemed  
16 to include a reference to a targeted low-income preg-  
17 nant woman.

18           “(2) Any such reference to child health assist-  
19 ance with respect to such women is deemed a ref-  
20 erence to pregnancy-related assistance.

21           “(3) Any such reference to a child is deemed a  
22 reference to a woman during pregnancy and the pe-  
23 riod described in subsection (b)(2).

24           “(4) The reference in section 2107(e)(1)(D) to  
25 section 1920A (relating to presumptive eligibility for

1 children) is deemed a reference to section 1920 (re-  
2 lating to presumptive eligibility for pregnant  
3 women).

4 “(5) The medicaid applicable income level is  
5 deemed a reference to the income level established  
6 under section 1902(l)(2)(A).

7 “(6) Subsection (a) of section 2103 (relating to  
8 required scope of health insurance coverage) shall  
9 not apply insofar as a State limits coverage to serv-  
10 ices described in subsection (b)(1) and the reference  
11 to such section in section 2105(a)(1) is deemed not  
12 to require, in such case, compliance with the require-  
13 ments of section 2103(a).

14 “(7) There shall be no exclusion of benefits for  
15 services described in subsection (b)(1) based on any  
16 pre-existing condition, and no waiting period (includ-  
17 ing a waiting period to carry out section  
18 2102(b)(3)(C)) shall apply.

19 “(d) NO IMPACT ON ALLOTMENTS.—Nothing in this  
20 section shall be construed as affecting the amount of any  
21 initial allotment provided to a State under section  
22 2104(b).

23 “(e) APPLICATION OF FUNDING RESTRICTIONS.—  
24 The coverage under this section (and the funding of such

1 coverage) is subject to the restrictions of section  
2 2105(c).”.

3 (b) APPLICATION OF QUALIFIED ENTITIES TO PRE-  
4 SUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN UNDER  
5 MEDICAID.—Section 1920(b) of the Social Security Act  
6 (42 U.S.C. 1396r–1(b)) is amended by adding at the end  
7 after and below paragraph (2) the following flush sen-  
8 tence:

9 “The term ‘qualified provider’ includes a qualified entity  
10 as defined in section 1920A(b)(3).”.

11 (c) CONFORMING AMENDMENTS.—Section  
12 2102(b)(1)(B) of the Social Security Act (42 U.S.C.  
13 1397bb(b)(1)(B)) is amended—

14 (1) by striking “and” at the end of clause (i);

15 (2) by striking the period at the end of clause

16 (ii) and inserting “, and”; and

17 (3) by adding at the end the following:

18 “(iii) may not apply a waiting period  
19 (including a waiting period to carry out  
20 paragraph (3)(C)) in the case of a targeted  
21 low-income child who is pregnant, if the  
22 State provides for coverage of pregnancy-  
23 related assistance for targeted low-income  
24 pregnant women in accordance with section  
25 2111.”.

1 (d) EFFECTIVE DATE.—The amendments made by  
 2 this section take effect on the date of enactment of this  
 3 Act and apply to allotments under title XXI of the Social  
 4 Security Act (42 U.S.C. 1397aa et seq.) for all fiscal  
 5 years.

6 **SEC. 3. AUTOMATIC ENROLLMENT FOR CHILDREN BORN**  
 7 **TO WOMEN RECEIVING PREGNANCY-RE-**  
 8 **LATED ASSISTANCE.**

9 (a) IN GENERAL.—Section 2111 of the Social Secu-  
 10 rity Act, as added by section 2, is amended by adding at  
 11 the end the following:

12 “(f) AUTOMATIC ENROLLMENT FOR CHILDREN  
 13 BORN TO WOMEN RECEIVING PREGNANCY-RELATED AS-  
 14 SISTANCE.—Notwithstanding any other provision of this  
 15 title or title XIX, if a child is born to a targeted low-in-  
 16 come pregnant woman who was receiving pregnancy-re-  
 17 lated assistance under this section on the date of the  
 18 child’s birth, the child shall be deemed to have applied for  
 19 child health assistance under the State child health plan  
 20 on the date of such birth, to have been found eligible for  
 21 such assistance under such plan (or, in the case of a State  
 22 that provides such assistance through the provision of  
 23 medical assistance under a plan under title XIX to have  
 24 applied for medical assistance under such title and to have  
 25 been found eligible for such assistance under such title on

1 the date of such birth) and to remain eligible for such as-  
2 sistance until the child attains 1 year of age, so long as  
3 the child is a member of the woman’s household.”.

4 (b) EFFECTIVE DATE.—The amendment made by  
5 subsection (a) takes effect on the date of enactment of  
6 this Act and applies to allotments under title XXI of the  
7 Social Security Act (42 U.S.C. 1397aa et seq.) for all fis-  
8 cal years.

9 **SEC. 4. EXPANDED AVAILABILITY OF FUNDING FOR ADMIN-**  
10 **ISTRATIVE COSTS RELATED TO OUTREACH**  
11 **AND ELIGIBILITY DETERMINATIONS.**

12 Section 1931(h) of the Social Security Act (42 U.S.C.  
13 1396u–1(h)) is amended—

14 (1) by striking the subsection heading and in-  
15 serting “INCREASED FEDERAL MATCHING RATE  
16 FOR ADMINISTRATIVE COSTS RELATED TO OUT-  
17 REACH AND ELIGIBILITY DETERMINATIONS”;

18 (2) in paragraph (2), by striking “eligibility de-  
19 terminations” and all that follows and inserting “de-  
20 terminations of the eligibility of children and preg-  
21 nant women for benefits under the State plan under  
22 this title or title XXI, outreach to children and preg-  
23 nant women likely to be eligible for such benefits,  
24 and such other outreach- and eligibility-related ac-  
25 tivities as the Secretary may approve.”; and

1 (3) by adding at the end the following:

2 “(4) ENCOURAGING USE OF LOCAL AND COM-  
3 MUNITY-BASED ORGANIZATIONS IN OUTREACH AND  
4 ENROLLMENT ACTIVITIES.—The Secretary shall es-  
5 tablish a procedure under which, if a State does not  
6 otherwise obligate the amounts made available under  
7 this subsection, local and community-based public or  
8 nonprofit private organizations (including local and  
9 county governments, public health departments,  
10 community health centers, children’s hospitals, and  
11 disproportionate share hospitals) may seek to have  
12 administrative costs relating to outreach and enroll-  
13 ment of children and pregnant women under this  
14 title and title XXI treated as administrative costs of  
15 a State described in section 1903(a)(7), if such or-  
16 ganizations have the permission of the State in-  
17 volved. A State may require such an organization to  
18 provide payment of such amounts as the State would  
19 otherwise be responsible for in order to obtain pay-  
20 ment under this paragraph.”.

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