

103^D CONGRESS
1ST SESSION

S. 1452

To provide relief to areas affected by the flooding in the Midwest by temporarily exempting affected States from certain requirements under the Social Security Act and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and by temporarily increasing the Federal share of payments for certain programs under such Acts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14 (legislative day, SEPTEMBER 7), 1993

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide relief to areas affected by the flooding in the Midwest by temporarily exempting affected States from certain requirements under the Social Security Act and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and by temporarily increasing the Federal share of payments for certain programs under such Acts, 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. SHORT TITLE.**

4 This Act may be cited as the “Flood-Affected States
5 Assistance Act of 1993”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act:

3 (1) DESIGNATED.—The term “designated”
4 means—

5 (A) with respect to a State or a political
6 subdivision of a State, that the President de-
7 clared, between April 1, 1993, and August 1,
8 1993, that a major disaster or emergency exists
9 under the Robert T. Stafford Disaster Relief
10 and Emergency Assistance Act (42 U.S.C. 5121
11 et seq.) in the State or political subdivision as
12 a result of the widespread flooding in the Mid-
13 west in 1993; and

14 (B) with respect to an individual or a fam-
15 ily, that the individual or family resides in a
16 designated State or a designated political sub-
17 division of a State described in subparagraph
18 (A).

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of Health and Human Services.

21 (3) STATE AGENCY.—The term “State agency”
22 means—

23 (A) with respect to part A of title IV of the
24 Social Security Act (42 U.S.C. 601 et seq.), the
25 State agency that administers or supervises the

1 administration of the State's plan approved
2 under section 402 of such Act (42 U.S.C. 602);

3 (B) with respect to part F of title IV of
4 such Act (42 U.S.C. 681 et seq.), the State
5 agency that administers or supervises the ad-
6 ministration of the State's plan approved under
7 section 402 of such Act (42 U.S.C. 602); and

8 (C) with respect to title XIX of such Act
9 (42 U.S.C. 1396 et seq.), the State agency that
10 administers or supervises the administration of
11 the State's plan approved under section 1902 of
12 such Act (42 U.S.C. 1396a).

13 **SEC. 3. ENHANCED FEDERAL MEDICAL ASSISTANCE PER-**
14 **CENTAGE FOR SERVICES FURNISHED TO**
15 **CERTAIN INDIVIDUALS.**

16 Notwithstanding section 1905(b) of the Social Secu-
17 rity Act (42 U.S.C. 1396d(b)) or any other provision of
18 law, with respect to amounts expended by a State as medi-
19 cal assistance under title XIX of such Act (42 U.S.C.
20 1396 et seq.) for services furnished during the 2-year pe-
21 riod beginning July 1, 1993, to any designated individual,
22 the Federal medical assistance percentage for such State
23 shall be 83 percent.

1 **SEC. 4. DISREGARD OF CERTAIN DONATED ITEMS AND**
2 **TEMPORARY FINANCIAL ASSISTANCE WHEN**
3 **DETERMINING ELIGIBILITY FOR BENEFITS**
4 **UNDER THE AFDC AND MEDICAID PRO-**
5 **GRAMS.**

6 Notwithstanding any other provision of law, an
7 amount equal to the amount of, or value of, a donation
8 or temporary financial assistance (including cash and in-
9 kind services) provided by the Federal Government, a
10 State, a political subdivision of a State, or a private person
11 to a designated individual or designated family as disaster
12 assistance (including assistance provided pursuant to the
13 Robert T. Stafford Disaster Relief and Emergency Assist-
14 ance Act (42 U.S.C. 5121 et seq.)) as a result of the wide-
15 spread flooding in the Midwest in 1993 shall be excluded
16 from a determination of income or resources made by a
17 State agency pursuant to a State plan under part A of
18 title IV of the Social Security Act (42 U.S.C. 601 et seq.)
19 or under title XIX of such Act (42 U.S.C. 1396 et seq.).

20 **SEC. 5. INDIVIDUAL AND FAMILY GRANT PROGRAM.**

21 (a) FEDERAL PAYMENT.—Notwithstanding sub-
22 section (b) of section 411 of the Robert T. Stafford Disas-
23 ter Relief and Emergency Assistance Act (42 U.S.C.
24 5178), for the 2-year period beginning April 1, 1993, the
25 Federal share of any grant made under such section to

1 a designated individual or a designated family shall be
2 equal to 100 percent of the actual cost incurred.

3 (b) ADMINISTRATIVE COST LIMIT WAIVED.—For the
4 2-year period beginning on April 1, 1993, the 5 percent
5 limitation applicable to administrative expenses under sub-
6 section (d) of section 411 of the Robert T. Stafford Disas-
7 ter Relief and Emergency Assistance Act (42 U.S.C.
8 5178) shall not apply in the case of any grant made to
9 a designated individual or a designated family.

10 **SEC. 6. EXTENSION OF SUBMISSION DEADLINE FOR CER-**
11 **TAIN AFDC AND JOBS PROGRAM REPORTS.**

12 Notwithstanding any other provision of law, with re-
13 spect to any designated State, each report relating to the
14 State plan that the State agency is required to file with
15 the Secretary under parts A and F of title IV of the Social
16 Security Act (42 U.S.C. 601 et seq. and 681 et seq.) not
17 later than September 30, 1993, shall not be required to
18 be filed until December 31, 1993.

19 **SEC. 7. TEMPORARY SUSPENSION OF CERTAIN STATE**
20 **QUALITY CONTROL FUNCTIONS.**

21 Notwithstanding any other provision of law, during
22 the period beginning on September 1, 1993, and ending
23 on February 28, 1994, for each designated State—

24 (1) the State agency of the State shall not be
25 required to carry out quality control requirements

1 under section 408 of the Social Security Act (42
2 U.S.C. 608) and section 1903(u) of such Act (42
3 U.S.C. 1396b(u));

4 (2) the error rate for the State determined
5 under subsection (d) of section 408 of such Act (42
6 U.S.C. 608) shall be deemed to be zero; and

7 (3) the ratio of the State's erroneous excess
8 payments for medical assistance to the State's total
9 expenditures for medical assistance under the State
10 plan approved under title XIX of such Act (42
11 U.S.C. 1396 et seq.) determined under subsection
12 (u) of section 1903 of such Act (42 U.S.C. 1396b)
13 shall be deemed to be zero.

14 **SEC. 8. COMPLIANCE WITH REQUIREMENTS RELATING TO**
15 **CHILD SUPPORT DATA PROCESSING AND IN-**
16 **FORMATION RETRIEVAL SYSTEMS.**

17 Notwithstanding section 454(16) of the Social Secu-
18 rity Act (42 U.S.C. 654(16)) or any other provision of
19 law, a designated State shall be deemed to be in compli-
20 ance with any requirements under part D of title IV of
21 such Act (42 U.S.C. 651 et seq.) relating to the State's
22 statewide automated data processing and information re-
23 trieval system for purposes of payments under section
24 455(a)(1)(B) of such Act (42 U.S.C. 655(a)(1)(B)) until
25 December 1, 1993.

1 **SEC. 9. ENHANCED FEDERAL MATCH FOR CERTAIN NEW**
2 **ELIGIBLES.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
4 sion of law, for the 2-year period beginning on July 1,
5 1993, the Federal share of the expenses incurred by any
6 designated State under a program described in subsection
7 (b) shall be 100 percent of such expenses attributable to
8 any unanticipated newly eligible individuals (as defined in
9 subsection (c)).

10 (b) **PROGRAMS DESCRIBED.**—For purposes of sub-
11 section (a), a program described in this subsection is a
12 State program operated in accordance with a State plan
13 approved under part A, D, or E of title IV of the Social
14 Security Act (42 U.S.C. 601 et seq., 651 et seq., or 670
15 et seq.), or title XIX of such Act (42 U.S.C. 1396 et seq.).

16 (c) **DEFINITION.**—For purposes of subsection (a), the
17 term “unanticipated newly eligible individuals” means in-
18 dividuals who became eligible for a program described in
19 subsection (b) on or after July 1, 1993, and who are in
20 excess of the number of individuals anticipated by the Sec-
21 retary to become eligible for such program during the pe-
22 riod referred to in subsection (a) based on the rate of in-
23 crease in eligible individuals for such program before the
24 widespread flooding in the Midwest in 1993.

1 **SEC. 10. ENHANCED FEDERAL MATCH FOR TRANSITIONAL**
2 **HOUSING SPECIAL NEEDS UNDER THE AFDC**
3 **PROGRAM.**

4 Notwithstanding section 403(a) of the Social Security
5 Act (42 U.S.C. 603(a)) or any other provision of law, dur-
6 ing the 2-year period beginning on July 1, 1993, the Fed-
7 eral share of the expenses incurred by any designated
8 State providing transitional housing special needs under
9 part A of title IV of the Social Security Act (42 U.S.C.
10 601 et seq.) to any designated individual or designated
11 family shall be 100 percent.

12 **SEC. 11. ENHANCED FEDERAL MATCH FOR JOBS PROGRAM.**

13 Notwithstanding section 403(l) of the Social Security
14 Act (42 U.S.C. 603(l)) or any other provision of law, dur-
15 ing the 2-year period beginning on July 1, 1993, the Fed-
16 eral share of the expenses incurred by a State with respect
17 to a designated individual who participates in the jobs pro-
18 gram under part F of the title IV of the Social Security
19 Act (42 U.S.C. 681 et seq.) shall be 100 percent.

20 **SEC. 12. ENHANCED FEDERAL MATCH FOR EMERGENCY AS-**
21 **SISTANCE FURNISHED TO FAMILIES WITH**
22 **CHILDREN.**

23 Notwithstanding section 403(a)(5) of the Social Se-
24 curity Act (42 U.S.C. 603(a)(5)) or any other provision
25 of law, during the 2-year period beginning on July 1,
26 1993, the Federal share of the expenses incurred by a

1 State with respect to a designated individual or a des-
2 ignated family receiving emergency assistance to families
3 with children (without regard to the 30-day limitation for
4 receipt of such aid in any 12-month period under section
5 406(e)(1) of such Act (42 U.S.C. 606(e)(1))) shall be 100
6 percent.

7 **SEC. 13. ENHANCED FEDERAL MATCH FOR CERTAIN OP-**
8 **TIONAL MEDICAL SERVICES.**

9 Notwithstanding section 1905(b) of the Social Secu-
10 rity Act (42 U.S.C. 1396d(b)) or any other provision of
11 law, with respect to services covered under the State plan
12 of any designated State under title XIX of such Act (42
13 U.S.C. 1396 et seq.) at the option of such State which
14 are furnished to a designated individual and paid for by
15 a county of such State in accordance with State law, the
16 Federal medical assistance percentage during the 2-year
17 period beginning July 1, 1993, shall be 100 percent.

18 **SEC. 14. PERMANENT ENHANCED FEDERAL MATCH UNDER**
19 **THE INDIVIDUAL AND FAMILY GRANT PRO-**
20 **GRAMS FOR STATES FREQUENTLY DE-**
21 **CLARED TO BE DISASTER AREAS.**

22 Section 411(b) of the Robert T. Stafford Disaster Re-
23 lief and Emergency Assistance Act (42 U.S.C. 5178(b))
24 is amended—

1 (1) in paragraph (1), by striking “The Federal
2 share” and inserting “Except as provided in para-
3 graph (3), the Federal share”;

4 (2) in paragraph (2), by striking “The Federal
5 share” and inserting “Except as provided in para-
6 graph (3), the Federal share”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “(3) ENHANCED FEDERAL SHARE UNDER CER-
10 TAIN CIRCUMSTANCES.—If the President has de-
11 clared a major disaster to exist under this Act in
12 more than one-third of the counties in a State in 2
13 of the previous 5 calendar years, the Federal share
14 of a grant to an individual or a family under this
15 section shall be equal to 100 percent of the actual
16 cost incurred.”.

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