

106TH CONGRESS
1ST SESSION

H. R. 1591

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 1999

Ms. PELOSI (for herself, Mr. GEPHARDT, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. BENTSEN, Mr. BROWN of California, Mrs. CAPPS, Mr. CAPUANO, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DIXON, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HORN, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mr. McDERMOTT, Mrs. MALONEY of New York, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NADLER, Mr. PAYNE, Ms. RIVERS, Mr. ROMERO-BARCELÓ, Mr. RUSH, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Mr. STARK, Mrs. TAUSCHER, Mrs. THURMAN, Mr. TOWNS, Ms. WATERS, Mr. WAXMAN, Mr. WEINER, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

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 “Early Treatment for
3 HIV Act of 1999”.

4 **SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME**
5 **HIV-INFECTED INDIVIDUALS.**

6 (a) IN GENERAL.—Section 1902 of the Social Secu-
7 rity Act (42 U.S.C. 1396a) is amended—

8 (1) in subsection (a)(10)(A)(ii)—

9 (A) by striking “or” at the end of sub-
10 clause (XIII);

11 (B) by adding “or” at the end of subclause
12 (XIV); and

13 (C) by adding at the end the following new
14 subclause:

15 “(XV) who are described in sub-
16 section (aa) (relating to HIV-infected
17 individuals);”;

18 and

19 (2) by adding at the end the following new sub-
20 section:

21 “(aa) HIV-infected individuals described in this sub-
22 section are individuals not described in subsection
23 (a)(10)(A)(i)—

24 “(1) who have HIV infection;

25 “(2) whose income (as determined under the
26 State plan under this title with respect to disabled

1 individuals) does not exceed the maximum amount
2 of income a disabled individual described in sub-
3 section (a)(10)(A)(i) may have and obtain medical
4 assistance under the plan; and

5 “(3) whose resources (as determined under the
6 State plan under this title with respect to disabled
7 individuals) do not exceed the maximum amount of
8 resources a disabled individual described in sub-
9 section (a)(10)(A)(i) may have and obtain medical
10 assistance under the plan.”.

11 (b) CONFORMING AMENDMENTS.—Section 1905(a)
12 of such Act (42 U.S.C. 1396d(a)) is amended, in the mat-
13 ter before paragraph (1)—

14 (1) by striking “or” at the end of clause (x),

15 (2) by adding “or” at the end of clause (xi),

16 and

17 (3) by inserting after clause (xii) the following
18 new clause:

19 “(xii) individuals described in section
20 1902(aa);”.

21 (c) EXEMPTION FROM FUNDING LIMITATION FOR
22 TERRITORIES.—Section 1108(g) of such Act (42 U.S.C.
23 1308(g)) is amended by adding at the end the following
24 new paragraph:

1 “(3) DISREGARDING MEDICAL ASSISTANCE FOR
2 OPTIONAL LOW-INCOME HIV-INFECTED INDIVID-
3 UALS.—The limitations under subsection (f) and the
4 previous provisions of this subsection shall not apply
5 to amounts expended for medical assistance for indi-
6 viduals described in section 1902(aa) who are only
7 eligible for such assistance on the basis of section
8 1902(a)(10)(A)(ii)(XV).”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 subsections (a) and (b) shall apply to calendar quarters
11 beginning on or after the date of the enactment of this
12 Act, without regard to whether or not final regulations to
13 carry out such amendments have been promulgated by
14 such date.

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