

107TH CONGRESS
2^D SESSION

H. R. 5740

To amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP).

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2002

Mr. TAUZIN (for himself, Mr. DINGELL, Mr. BILIRAKIS, and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP).

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. EXTENDING AVAILABILITY OF SCHIP ALLOT-**
4 **MENTS FOR FISCAL YEARS 1998 THROUGH**
5 **2001.**

6 (a) RETAINED AND REDISTRIBUTED ALLOTMENTS
7 FOR FISCAL YEARS 1998 AND 1999.—Paragraphs
8 (1)(B)(ii), (2)(A)(i), and (2)(A)(ii) of section 2104(g) of

1 the Social Security Act (42 U.S.C. 1397dd(g)) are each
2 amended by striking “fiscal year 2002” and inserting
3 “fiscal year 2004”.

4 (b) EXTENSION AND REVISION OF RETAINED AND
5 REDISTRIBUTED ALLOTMENTS FOR FISCAL YEAR
6 2000.—

7 (1) PERMITTING AND EXTENDING RETENTION
8 OF PORTION OF FISCAL YEAR 2000 ALLOTMENT.—
9 Paragraph (2) of such section 2104(g) is amended—

10 (A) in the heading, by striking “AND 1999”
11 and inserting “THROUGH 2000”; and

12 (B) by adding at the end of subparagraph
13 (A) the following:

14 “(iii) FISCAL YEAR 2000 ALLOT-
15 MENT.—Of the amounts allotted to a State
16 pursuant to this section for fiscal year
17 2000 that were not expended by the State
18 by the end of fiscal year 2002, 50 percent
19 of that amount shall remain available for
20 expenditure by the State through the end
21 of fiscal year 2004.”.

22 (2) REDISTRIBUTED ALLOTMENTS.—Paragraph
23 (1) of such section 2104(g) is amended—

1 (A) in subparagraph (A), by inserting “or
2 for fiscal year 2000 by the end of fiscal year
3 2002,” after “fiscal year 2001,”;

4 (B) in subparagraph (A), by striking
5 “1998 or 1999” and inserting “1998, 1999, or
6 2000”;

7 (C) in subparagraph (A)(i)—

8 (i) by striking “or” at the end of sub-
9 clause (I),

10 (ii) by striking the period at the end
11 of subclause (II) and inserting “; or”;

12 (iii) by adding at the end the fol-
13 lowing new subclause:

14 “(III) the fiscal year 2000 allot-
15 ment, the amount specified in sub-
16 paragraph (C)(i) (less the total of the
17 amounts under clause (ii) for such fis-
18 cal year), multiplied by the ratio of
19 the amount specified in subparagraph
20 (C)(ii) for the State to the amount
21 specified in subparagraph (C)(iii).”;

22 (D) in subparagraph (A)(ii), by striking
23 “or 1999” and inserting “, 1999, or 2000”;

24 (E) in subparagraph (B), by striking “ or
25 1999” and inserting “, 1999, or 2000”; and

1 (F) by adding at the end the following new
2 subparagraph:

3 “(C) AMOUNTS USED IN COMPUTING RE-
4 DISTRIBUTIONS FOR FISCAL YEAR 2000.—For
5 purposes of subparagraph (A)(i)(III)—

6 “(i) the amount specified in this
7 clause is the amount specified in para-
8 graph (2)(B)(i)(I) for fiscal year 2000, less
9 the total amount remaining available pur-
10 suant to paragraph (2)(A)(iii);

11 “(ii) the amount specified in this
12 clause for a State is the amount by which
13 the State’s expenditures under this title in
14 fiscal years 2000, 2001, and 2002 exceed
15 the State’s allotment for fiscal year 2000
16 under subsection (b); and

17 “(iii) the amount specified in this
18 clause is the sum, for all States entitled to
19 a redistribution under subparagraph (A)
20 from the allotments for fiscal year 2000, of
21 the amounts specified in clause (ii).”.

22 (3) CONFORMING AMENDMENTS.—Such section
23 2104(g) is further amended—

24 (A) in its heading, by striking “AND 1999”
25 and inserting “, 1999, AND 2000”; and

1 (B) in paragraph (3)—

2 (i) by striking “or fiscal year 1999”
3 and inserting “fiscal year 1999, or fiscal
4 year 2000”; and

5 (ii) by striking “or November 30,
6 2001,” and inserting “November 30, 2001,
7 or November 30, 2002”, respectively.

8 (c) EXTENSION AND REVISION OF RETAINED AND
9 REDISTRIBUTED ALLOTMENTS FOR FISCAL YEAR
10 2001.—

11 (1) PERMITTING AND EXTENDING RETENTION
12 OF PORTION OF FISCAL YEAR 2001 ALLOTMENT.—
13 Paragraph (2) of such section 2104(g), as amended
14 in subsection (b)(1)(B), is further amended—

15 (A) in the heading, by striking “2000” and
16 inserting “2001”; and

17 (B) by adding at the end of subparagraph
18 (A) the following:

19 “(iv) FISCAL YEAR 2001 ALLOT-
20 MENT.—Of the amounts allotted to a State
21 pursuant to this section for fiscal year
22 2001 that were not expended by the State
23 by the end of fiscal year 2003, 50 percent
24 of that amount shall remain available for

1 expenditure by the State through the end
2 of fiscal year 2005.”.

3 (2) REDISTRIBUTED ALLOTMENTS.—Paragraph
4 (1) of such section 2104(g), as amended in sub-
5 section (b)(2), is further amended—

6 (A) in subparagraph (A), by inserting “or
7 for fiscal year 2001 by the end of fiscal year
8 2003,” after “fiscal year 2002,”;

9 (B) in subparagraph (A), by striking
10 “1999, or 2000” and inserting “1999, 2000, or
11 2001”;

12 (C) in subparagraph (A)(i)—

13 (i) by striking “or” at the end of sub-
14 clause (II),

15 (ii) by striking the period at the end
16 of subclause (III) and inserting “; or”; and

17 (iii) by adding at the end the fol-
18 lowing new subclause:

19 “(IV) the fiscal year 2001 allot-
20 ment, the amount specified in sub-
21 paragraph (D)(i) (less the total of the
22 amounts under clause (ii) for such fis-
23 cal year), multiplied by the ratio of
24 the amount specified in subparagraph

1 (D)(ii) for the State to the amount
2 specified in subparagraph (D)(iii).”;

3 (D) in subparagraph (A)(ii), by striking
4 “or 2000” and inserting “, 2000, or 2001”;

5 (E) in subparagraph (B), by striking “ or
6 2000” and inserting “, 2000, or 2001”; and

7 (F) by adding at the end the following new
8 subparagraph:

9 “(D) AMOUNTS USED IN COMPUTING RE-
10 DISTRIBUTIONS FOR FISCAL YEAR 2001.—For
11 purposes of subparagraph (A)(i)(III)—

12 “(i) the amount specified in this
13 clause is the amount specified in para-
14 graph (2)(B)(i)(I) for fiscal year 2001, less
15 the total amount remaining available pur-
16 suant to paragraph (2)(A)(iv);

17 “(ii) the amount specified in this
18 clause for a State is the amount by which
19 the State’s expenditures under this title in
20 fiscal years 2001, 2002, and 2003 exceed
21 the State’s allotment for fiscal year 2001
22 under subsection (b); and

23 “(iii) the amount specified in this
24 clause is the sum, for all States entitled to
25 a redistribution under subparagraph (A)

1 from the allotments for fiscal year 2001, of
2 the amounts specified in clause (ii).”.

3 (3) CONFORMING AMENDMENTS.—Such section
4 2104(g) is further amended—

5 (A) in its heading, by striking “AND 2000”
6 and inserting “, 2000, AND 2001”; and

7 (B) in paragraph (3)—

8 (i) by striking “or fiscal year 2000”
9 and inserting “fiscal year 2000, or fiscal
10 year 2001”; and

11 (ii) by striking “or November 30,
12 2002,” and inserting “November 30, 2002,
13 or November 30, 2003”, respectively.

14 (d) EFFECTIVE DATE.—This section, and the amend-
15 ments made by this section, shall be effective as if this
16 section had been enacted on September 30, 2002, and
17 amounts under title XXI of the Social Security Act (42
18 U.S.C. 1397aa et seq.) from allotments for fiscal years
19 1998 through 2000 are available for expenditure on and
20 after October 1, 2002, under the amendments made by
21 this section as if this section had been enacted on Sep-
22 tember 30, 2002.

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