

107TH CONGRESS
2D SESSION

S. 2110

To temporarily increase the Federal medical assistance percentage for the
medicaid program.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2002

Ms. COLLINS (for herself and Mr. NELSON of Nebraska) introduced the
following bill; which was read twice and referred to the Committee on Finance

A BILL

To temporarily increase the Federal medical assistance
percentage for 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. TEMPORARY INCREASE OF MEDICAID FMAP.**

4 (a) PERMITTING MAINTENANCE OF FISCAL YEAR
5 2001 FMAP FOR LAST 3 CALENDAR QUARTERS OF FIS-
6 CAL YEAR 2002.—Notwithstanding any other provision of
7 law, but subject to subsection (e), if the FMAP deter-
8 mined without regard to this section for a State for fiscal
9 year 2002 is less than the FMAP as so determined for
10 fiscal year 2001, the FMAP for the State for fiscal year

1 2001 shall be substituted for the State's FMAP for the
2 second, third, and fourth calendar quarters in fiscal year
3 2002, before the application of this section.

4 (b) PERMITTING MAINTENANCE OF FISCAL YEAR
5 2002 FMAP FOR FISCAL YEAR 2003.—Notwithstanding
6 any other provision of law, but subject to subsection (e),
7 if the FMAP determined without regard to this section
8 for a State for fiscal year 2003 is less than the FMAP
9 as so determined for fiscal year 2002, the FMAP for the
10 State for fiscal year 2002 shall be substituted for the
11 State's FMAP for each calendar quarter of fiscal year
12 2003, before the application of this section.

13 (c) GENERAL 1.5 PERCENTAGE POINTS INCREASE
14 FOR CALENDAR YEAR 2002 AND FISCAL YEAR 2003.—
15 Notwithstanding any other provision of law, but subject
16 to subsections (e) and (f), for each State for the second,
17 third, and fourth calendar quarters in fiscal year 2002 and
18 each calendar quarter of fiscal year 2003, the FMAP (tak-
19 ing into account the application of subsections (a) and (b))
20 shall be increased by 1.5 percentage points.

21 (d) INCREASE IN CAP ON MEDICAID PAYMENTS TO
22 TERRITORIES.—Notwithstanding any other provision of
23 law, with respect to the second, third, and fourth calendar
24 quarters in fiscal year 2002 and each calendar quarter of
25 fiscal year 2003, the amounts otherwise determined for

1 Puerto Rico, the Virgin Islands, Guam, the Northern Mar-
2 iana Islands, and American Samoa under section 1108 of
3 the Social Security Act (42 U.S.C. 1308) shall each be
4 increased by an amount equal to 6 percentage points of
5 such amounts.

6 (e) SCOPE OF APPLICATION.—The increases in the
7 FMAP for a State under this section shall apply only for
8 purposes of title XIX of the Social Security Act and shall
9 not apply with respect to—

10 (1) disproportionate share hospital payments
11 described in section 1923 of such Act (42 U.S.C.
12 1396r-4); or

13 (2) payments under titles IV and XXI of such
14 Act (42 U.S.C. 601 et seq. and 1397aa et seq.).

15 (f) STATE ELIGIBILITY.—A State is eligible for an
16 increase in its FMAP under subsection (c) or an increase
17 in a cap amount under subsection (d) only if the eligibility
18 under its State plan under title XIX of the Social Security
19 Act (including any waiver under such title or under section
20 1115 of such Act (42 U.S.C. 1315)) is no more restrictive
21 than the eligibility under such plan (or waiver) as in effect
22 on October 1, 2001.

23 (g) DEFINITIONS.—In this section:

24 (1) FMAP.—The term “FMAP” means the
25 Federal medical assistance percentage, as defined in

1 section 1905(b) of the Social Security Act (42
2 U.S.C. 1396d(b)).

3 (2) STATE.—The term “State” has the mean-
4 ing given such term for purposes of title XIX of the
5 Social Security Act (42 U.S.C. 1396 et seq.).

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