

Calendar No. 541

107TH CONGRESS
2^D SESSION**S. 724****[Report No. 107-233]**

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

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2001

Mr. BOND (for himself, Mr. BREAUX, Ms. LANDRIEU, Mrs. LINCOLN, Ms. COLLINS, Mr. LIEBERMAN, Mr. COCHRAN, Mr. LOTT, Mr. DEWINE, Mr. DODD, Mr. DASCHLE, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Finance

AUGUST 1, 2002

Reported by Mr. BAUCUS, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in *italic*]

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mothers and Newborns
3 Health Insurance Act of 2001”.

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

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

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

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

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

18 “(1) PREGNANCY-RELATED ASSISTANCE.—The
19 term ‘pregnancy-related assistance’ has the meaning
20 given the term ‘child health assistance’ in section
21 2110(a) as if any reference to targeted low-income
22 children were a reference to targeted low-income
23 pregnant women, except that the assistance shall be
24 limited to services related to pregnancy (which in-
25 clude prenatal, delivery, and postpartum services)
26 and to other conditions that may complicate preg-

1 nancy and shall not include pre-pregnancy services
2 and supplies.

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

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

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

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

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

1 ~~“(4) The reference in section 2107(c)(1)(D) to~~
 2 ~~section 1920A (relating to presumptive eligibility for~~
 3 ~~children) is deemed a reference to section 1920 (re-~~
 4 ~~lating to presumptive eligibility for pregnant~~
 5 ~~women).~~

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

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

16 ~~“(7) There shall be no exclusion of benefits for~~
 17 ~~services described in subsection (b)(1) based on any~~
 18 ~~pre-existing condition, and no waiting period (includ-~~
 19 ~~ing a waiting period to carry out section~~
 20 ~~2102(b)(3)(C)) shall apply.~~

21 ~~“(d) NO IMPACT ON ALLOTMENTS.—Nothing in this~~
 22 ~~section shall be construed as affecting the amount of any~~
 23 ~~initial allotment provided to a State under section~~
 24 ~~2104(b).~~

1 “(e) APPLICATION OF FUNDING RESTRICTIONS.—

2 The coverage under this section (and the funding of such
3 coverage) is subject to the restrictions of section
4 2105(c).”.

5 (b) APPLICATION OF QUALIFIED ENTITIES TO PRE-

6 SUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN UNDER

7 MEDICAID.—Section 1920(b) of the Social Security Act

8 (42 U.S.C. 1396r-1(b)) is amended by adding at the end

9 after and below paragraph (2) the following flush sen-

10 tence:

11 “The term ‘qualified provider’ includes a qualified entity

12 as defined in section 1920A(b)(3).”.

13 (c) CONFORMING AMENDMENTS.—Section

14 2102(b)(1)(B) of the Social Security Act (42 U.S.C.

15 1397bb(b)(1)(B)) is amended—

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

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

18 (ii) and inserting “; and”; and

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

20 “(iii) may not apply a waiting period

21 (including a waiting period to carry out

22 paragraph (3)(C)) in the case of a targeted

23 low-income child who is pregnant, if the

24 State provides for coverage of pregnancy-

25 related assistance for targeted low-income

1 pregnant women in accordance with section
 2 2111.”.

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

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

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

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

1 applied for medical assistance under such title and to have
 2 been found eligible for such assistance under such title on
 3 the date of such birth) and to remain eligible for such as-
 4 sistance until the child attains 1 year of age, so long as
 5 the child is a member of the woman's household.”.

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

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

14 Section 1931(h) of the Social Security Act (42 U.S.C.
 15 ~~1396u-1(h)~~) is amended—

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

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

1 and such other outreach- and eligibility-related ac-
 2 tivities as the Secretary may approve.”; and

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

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

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Mothers and Newborns*
 25 *Health Insurance Act of 2002”.*

1 **SEC. 2. STATE OPTION TO EXPAND OR ADD COVERAGE OF**
 2 **CERTAIN PREGNANT WOMEN UNDER MED-**
 3 **ICAID AND SCHIP.**

4 (a) *MEDICAID.*—

5 (1) *AUTHORITY TO EXPAND COVERAGE.*—Section
 6 1902(l)(2)(A)(i) of the Social Security Act (42 U.S.C.
 7 1396a(l)(2)(A)(i)) is amended by inserting “(or such
 8 higher percent as the State may elect for purposes of
 9 expenditures for medical assistance for pregnant
 10 women described in section 1905(u)(4)(A))” after
 11 “185 percent”.

12 (2) *ENHANCED MATCHING FUNDS AVAILABLE IF*
 13 *CERTAIN CONDITIONS MET.*—Section 1905 of the So-
 14 cial Security Act (42 U.S.C. 1396d) is amended—

15 (A) in the fourth sentence of subsection (b),
 16 by striking “or subsection (u)(3)” and inserting
 17 “, (u)(3), or (u)(4)”; and

18 (B) in subsection (u)—

19 (i) by redesignating paragraph (4) as
 20 paragraph (5); and

21 (ii) by inserting after paragraph (3)
 22 the following:

23 “(4) For purposes of the fourth sentence of subsection
 24 (b) and section 2105(a), the expenditures described in this
 25 paragraph are the following:

1 “(A) *CERTAIN PREGNANT WOMEN.*—*If the condi-*
 2 *tions described in subparagraph (B) are met, expend-*
 3 *itures for medical assistance for pregnant women de-*
 4 *scribed in subsection (n) or under section*
 5 *1902(l)(1)(A) in a family the income of which exceeds*
 6 *185 percent of the poverty line, but does not exceed*
 7 *the income eligibility level established under title XXI*
 8 *for a targeted low-income child.*

9 “(B) *CONDITIONS.*—*The conditions described in*
 10 *this subparagraph are the following:*

11 “(i) *The State plans under this title and*
 12 *title XXI do not provide coverage for pregnant*
 13 *women described in subparagraph (A) with high-*
 14 *er family income without covering such pregnant*
 15 *women with a lower family income.*

16 “(ii) *The State does not apply an effective*
 17 *income level for pregnant women that is lower*
 18 *than the effective income level (expressed as a*
 19 *percent of the poverty line and considering ap-*
 20 *plicable income disregards) that has been speci-*
 21 *fied under the State plan under subsection*
 22 *(a)(10)(A)(i)(III) or (l)(2)(A) of section 1902, as*
 23 *of January 1, 2002, to be eligible for medical as-*
 24 *sistance as a pregnant woman.*

1 “(C) *DEFINITION OF POVERTY LINE.*—*In this*
 2 *subsection, the term ‘poverty line’ has the meaning*
 3 *given such term in section 2110(c)(5).’.*”.

4 (3) *PAYMENT FROM TITLE XXI ALLOTMENT FOR*
 5 *MEDICAID EXPANSION COSTS; ELIMINATION OF COUNT-*
 6 *ING MEDICAID CHILD PRESUMPTIVE ELIGIBILITY*
 7 *COSTS AGAINST TITLE XXI ALLOTMENT.*—*Section*
 8 *2105(a)(1) of the Social Security Act (42 U.S.C.*
 9 *1397ee(a)(1)) is amended—*

10 (A) *in the matter preceding subparagraph*
 11 (A), *by striking “(or, in the case of expenditures*
 12 *described in subparagraph (B), the Federal med-*
 13 *ical assistance percentage (as defined in the first*
 14 *sentence of section 1905(b))”;* and

15 (B) *by striking subparagraph (B) and in-*
 16 *serting the following:*

17 “(B) *for the provision of medical assistance*
 18 *that is attributable to expenditures described in*
 19 *section 1905(u)(4)(A);’.*”.

20 (b) *SCHIP.*—

21 (1) *COVERAGE.*—*Title XXI of the Social Secu-*
 22 *rity Act (42 U.S.C. 1397aa et seq.) is amended by*
 23 *adding at the end the following:*

1 **“SEC. 2111. OPTIONAL COVERAGE OF TARGETED LOW-IN-**
 2 **COME PREGNANT WOMEN.**

3 “(a) *OPTIONAL COVERAGE.*—Notwithstanding any
 4 other provision of this title, a State may provide for cov-
 5 erage, through an amendment to its State child health plan
 6 under section 2102, of pregnancy-related assistance for tar-
 7 geted low-income pregnant women in accordance with this
 8 section, but only if—

9 “(1) the State has established an income eligi-
 10 bility level for pregnant women under subsection
 11 (a)(10)(A)(i)(III) or (l)(2)(A) of section 1902 that is
 12 at least 185 percent of the income official poverty
 13 line; and

14 “(2) the State meets the conditions described in
 15 section 1905(u)(4)(B).

16 “(b) *DEFINITIONS.*—For purposes of this title:

17 “(1) *PREGNANCY-RELATED ASSISTANCE.*—The
 18 term ‘pregnancy-related assistance’ has the meaning
 19 given the term child health assistance in section
 20 2110(a) as if any reference to targeted low-income
 21 children were a reference to targeted low-income preg-
 22 nant women, except that the assistance shall be lim-
 23 ited to services related to pregnancy (which include
 24 prenatal, delivery, and postpartum services and serv-
 25 ices described in section 1905(a)(4)(C)) and to other
 26 conditions that may complicate pregnancy.

1 “(2) *TARGETED LOW-INCOME PREGNANT*
 2 *WOMAN.—The term ‘targeted low-income pregnant*
 3 *woman’ means a woman—*

4 “(A) *during pregnancy and through the end*
 5 *of the month in which the 60-day period (begin-*
 6 *ning on the last day of her pregnancy) ends;*

7 “(B) *whose family income exceeds the effec-*
 8 *tive income level (expressed as a percent of the*
 9 *poverty line and considering applicable income*
 10 *disregards) that has been specified under sub-*
 11 *section (a)(10)(A)(i)(III) or (l)(2)(A) of section*
 12 *1902, as of January 1, 2002, to be eligible for*
 13 *medical assistance as a pregnant woman under*
 14 *title XIX but does not exceed the income eligi-*
 15 *bility level established under the State child*
 16 *health plan under this title for a targeted low-*
 17 *income child; and*

18 “(C) *who satisfies the requirements of para-*
 19 *graphs (1)(A), (1)(C), (2), and (3) of section*
 20 *2110(b).*

21 “(c) *REFERENCES TO TERMS AND SPECIAL RULES.—*
 22 *In the case of, and with respect to, a State providing for*
 23 *coverage of pregnancy-related assistance to targeted low-in-*
 24 *come pregnant women under subsection (a), the following*
 25 *special rules apply:*

1 “(1) Any reference in this title (other than in
2 subsection (b)) to a targeted low-income child is
3 deemed to include a reference to a targeted low-in-
4 come pregnant woman.

5 “(2) Any such reference to child health assistance
6 with respect to such women is deemed a reference to
7 pregnancy-related assistance.

8 “(3) Any such reference to a child is deemed a
9 reference to a woman during pregnancy and the pe-
10 riod described in subsection (b)(2)(A).

11 “(4) In applying section 2102(b)(3)(B), any ref-
12 erence to children found through screening to be eligi-
13 ble for medical assistance under the State medicaid
14 plan under title XIX is deemed a reference to preg-
15 nant women.

16 “(5) There shall be no exclusion of benefits for
17 services described in subsection (b)(1) based on any
18 preexisting condition and no waiting period (includ-
19 ing any waiting period imposed to carry out section
20 2102(b)(3)(C)) shall apply.

21 “(6) Subsection (a) of section 2103 (relating to
22 required scope of health insurance coverage) shall not
23 apply insofar as a State limits coverage to services
24 described in subsection (b)(1) and the reference to
25 such section in section 2105(a)(1)(C) is deemed not to

1 *require, in such case, compliance with the require-*
 2 *ments of section 2103(a).*

3 *“(7) In applying section 2103(e)(3)(B) in the*
 4 *case of a pregnant woman provided coverage under*
 5 *this section, the limitation on total annual aggregate*
 6 *cost-sharing shall be applied to such pregnant*
 7 *woman.*

8 *“(8) The reference in section 2107(e)(1)(D) to*
 9 *section 1920A (relating to presumptive eligibility for*
 10 *children) is deemed a reference to section 1920 (relat-*
 11 *ing to presumptive eligibility for pregnant women).*

12 *“(d) AUTOMATIC ENROLLMENT FOR CHILDREN BORN*
 13 *TO WOMEN RECEIVING PREGNANCY-RELATED ASSIST-*
 14 *ANCE.—If a child is born to a targeted low-income pregnant*
 15 *woman who was receiving pregnancy-related assistance*
 16 *under this section on the date of the child’s birth, the child*
 17 *shall be deemed to have applied for child health assistance*
 18 *under the State child health plan and to have been found*
 19 *eligible for such assistance under such plan or to have ap-*
 20 *plied for medical assistance under title XIX and to have*
 21 *been found eligible for such assistance under such title, as*
 22 *appropriate, on the date of such birth and to remain eligible*
 23 *for such assistance until the child attains 1 year of age.*
 24 *During the period in which a child is deemed under the*
 25 *preceding sentence to be eligible for child health or medical*

1 *assistance, the child health or medical assistance eligibility*
 2 *identification number of the mother shall also serve as the*
 3 *identification number of the child, and all claims shall be*
 4 *submitted and paid under such number (unless the State*
 5 *issues a separate identification number for the child before*
 6 *such period expires).”.*

7 (2) *ADDITIONAL ALLOTMENTS FOR PROVIDING*
 8 *COVERAGE OF PREGNANT WOMEN.—*

9 (A) *IN GENERAL.—Section 2104 of the So-*
 10 *cial Security Act (42 U.S.C. 1397dd) is amended*
 11 *by inserting after subsection (c) the following:*

12 “(d) *ADDITIONAL ALLOTMENTS FOR PROVIDING COV-*
 13 *ERAGE OF PREGNANT WOMEN.—*

14 “(1) *APPROPRIATION; TOTAL ALLOTMENT.—For*
 15 *the purpose of providing additional allotments to*
 16 *States under this title, there is appropriated, out of*
 17 *any money in the Treasury not otherwise appro-*
 18 *priated, for each of fiscal years 2003 through 2006,*
 19 *\$200,000,000.*

20 “(2) *STATE AND TERRITORIAL ALLOTMENTS.—In*
 21 *addition to the allotments provided under subsections*
 22 *(b) and (c), subject to paragraphs (3) and (4), of the*
 23 *amount available for the additional allotments under*
 24 *paragraph (1) for a fiscal year, the Secretary shall*

1 *allot to each State with a State child health plan ap-*
 2 *proved under this title—*

3 *“(A) in the case of such a State other than*
 4 *a commonwealth or territory described in sub-*
 5 *paragraph (B), the same proportion as the pro-*
 6 *portion of the State’s allotment under subsection*
 7 *(b) (determined without regard to subsection (f))*
 8 *to the total amount of the allotments under sub-*
 9 *section (b) for such States eligible for an allot-*
 10 *ment under this paragraph for such fiscal year;*
 11 *and*

12 *“(B) in the case of a commonwealth or ter-*
 13 *ritory described in subsection (c)(3), the same*
 14 *proportion as the proportion of the common-*
 15 *wealth’s or territory’s allotment under subsection*
 16 *(c) (determined without regard to subsection (f))*
 17 *to the total amount of the allotments under sub-*
 18 *section (c) for commonwealths and territories eli-*
 19 *gible for an allotment under this paragraph for*
 20 *such fiscal year.*

21 *“(3) USE OF ADDITIONAL ALLOTMENT.—Addi-*
 22 *tional allotments provided under this subsection are*
 23 *not available for amounts expended before October 1,*
 24 *2002. Such amounts are available for amounts ex-*
 25 *pended on or after such date for child health assist-*

1 *ance for targeted low-income children, as well as for*
 2 *pregnancy-related assistance for targeted low-income*
 3 *pregnant women.*

4 “(4) NO PAYMENTS UNLESS ELECTION TO EX-
 5 *PAND COVERAGE OF PREGNANT WOMEN.—No pay-*
 6 *ments may be made to a State under this title from*
 7 *an allotment provided under this subsection unless the*
 8 *State provides pregnancy-related assistance for tar-*
 9 *geted low-income pregnant women under this title, or*
 10 *provides medical assistance for pregnant women*
 11 *under title XIX, whose family income exceeds the ef-*
 12 *fective income level applicable under subsection*
 13 *(a)(10)(A)(i)(III) or (l)(2)(A) of section 1902 to a*
 14 *family of the size involved as of January 1, 2002.”.*

15 (B) CONFORMING AMENDMENTS.—Section
 16 *2104 of the Social Security Act (42 U.S.C.*
 17 *1397dd) is amended—*

18 (i) *in subsection (a), in the matter pre-*
 19 *ceding paragraph (1), by inserting “subject*
 20 *to subsection (d),” after “under this sec-*
 21 *tion,”;*

22 (ii) *in subsection (b)(1), by inserting*
 23 *“and subsection (d)” after “Subject to para-*
 24 *graph (4)”;* and

1 (iii) in subsection (c)(1), by inserting
 2 “subject to subsection (d),” after “for a fis-
 3 cal year,”.

4 (3) *ADDITIONAL CONFORMING AMENDMENTS.*—

5 (A) *NO COST-SHARING FOR PREGNANCY-RE-*
 6 *LATED BENEFITS.*—Section 2103(e)(2) of the So-
 7 cial Security Act (42 U.S.C. 1397cc(e)(2)) is
 8 amended—

9 (i) in the heading, by inserting “OR
 10 PREGNANCY-RELATED SERVICES” after
 11 “PREVENTIVE SERVICES”; and

12 (ii) by inserting before the period at
 13 the end the following: “or for pregnancy-re-
 14 lated services”.

15 (B) *NO WAITING PERIOD.*—Section
 16 2102(b)(1)(B) of the Social Security Act (42
 17 U.S.C. 1397bb(b)(1)(B)) is amended—

18 (i) by striking “, and” at the end of
 19 clause (i) and inserting a semicolon;

20 (ii) by striking the period at the end of
 21 clause (ii) and inserting “; and”; and

22 (iii) by adding at the end the fol-
 23 lowing:

24 “(iii) may not apply a waiting period
 25 (including a waiting period to carry out

1 paragraph (3)(C)) in the case of a targeted
 2 low-income pregnant woman.”.

3 (c) *OTHER AMENDMENTS TO MEDICAID.*—

4 (1) *ELIGIBILITY OF A NEWBORN.*—Section
 5 1902(e)(4) of the Social Security Act (42 U.S.C.
 6 1396a(e)(4)) is amended in the first sentence by strik-
 7 ing “so long as the child is a member of the woman’s
 8 household and the woman remains (or would remain
 9 if pregnant) eligible for such assistance”.

10 (2) *APPLICATION OF QUALIFIED ENTITIES TO*
 11 *PRESUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN*
 12 *UNDER MEDICAID.*—Section 1920(b) of the Social Se-
 13 curity Act (42 U.S.C. 1396r–1(b)) is amended by
 14 adding at the end after and below paragraph (2) the
 15 following flush sentence:

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

18 (d) *EFFECTIVE DATE.*—The amendments made by this
 19 section apply to items and services furnished on or after
 20 October 1, 2002, without regard to whether regulations im-
 21 plementing such amendments have been promulgated.

22 **SEC. 3. REVIEW OF STATE AGENCY BLINDNESS AND DIS-**
 23 **ABILITY DETERMINATIONS.**

24 Section 1633 of the Social Security Act (42 U.S.C.
 25 1383b) is amended by adding at the end the following:

1 “(e)(1) *The Commissioner of Social Security shall re-*
 2 *view determinations, made by State agencies pursuant to*
 3 *subsection (a) in connection with applications for benefits*
 4 *under this title on the basis of blindness or disability, that*
 5 *individuals who have attained 18 years of age are blind*
 6 *or disabled as of a specified onset date. The Commissioner*
 7 *of Social Security shall review such a determination before*
 8 *any action is taken to implement the determination.*

9 “(2)(A) *In carrying out paragraph (1), the Commis-*
 10 *sioner of Social Security shall review—*

11 “(i) *at least 25 percent of all determinations re-*
 12 *ferred to in paragraph (1) that are made in fiscal*
 13 *year 2003; and*

14 “(ii) *at least 50 percent of all such determina-*
 15 *tions that are made in fiscal year 2004 or thereafter.*

16 “(B) *In carrying out subparagraph (A), the Commis-*
 17 *sioner of Social Security shall, to the extent feasible, select*
 18 *for review the determinations which the Commissioner of*
 19 *Social Security identifies as being the most likely to be in-*
 20 *correct.”.*

Amend the title so as to read: “A bill to amend titles XIX and XXI of the Social Security Act to expand or add coverage of pregnant women under the medicaid and State children’s health insurance program, and for other purposes.”.

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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.

AUGUST 1, 2002

Reported with an amendment and an amendment to the title