

**Calendar No. 295**

108TH CONGRESS  
1ST SESSION

**S. 622**

**[Report No. 108–157]**

To amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 13, 2003

Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. BAUCUS, Ms. SNOWE, Mr. DASCHLE, Mr. SMITH, Mr. KERRY, Mr. THOMAS, Mr. BINGAMAN, Mr. BUNNING, Mr. ROCKEFELLER, Mrs. LINCOLN, Mr. JEFFORDS, Mr. ENZI, Mr. SARBANES, Mr. DOMENICI, Mr. JOHNSON, Mr. ENSIGN, Mrs. MURRAY, Mr. HOLLINGS, Ms. STABENOW, Mr. CORZINE, Mr. BENNETT, Mr. SCHUMER, Mr. WARNER, Mr. REID, Mr. DeWINE, Mr. REED, Ms. COLLINS, Mr. MILLER, Mr. LUGAR, Mr. LIEBERMAN, Mr. LEAHY, Mr. CHAFEE, Mr. KOHL, Mr. GRAHAM of South Carolina, Mr. EDWARDS, Mr. MCCAIN, Mr. DORGAN, Mr. ROBERTS, Mr. DODD, Mr. DAYTON, Ms. CANTWELL, Mr. BREAUX, Mr. BIDEN, Ms. MIKULSKI, Mr. LEVIN, Ms. LANDRIEU, Mr. INOUE, Mr. HARKIN, Mr. DURBIN, Mrs. CLINTON, Mrs. BOXER, Mr. BAYH, Mr. AKAKA, Mrs. FEINSTEIN, Mr. BOND, Mr. HATCH, Mr. COCHRAN, Mr. TALENT, Mr. HAGEL, Mr. SPECTER, Mr. SANTORUM, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Finance

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2003

Reported by Mr. GRASSLEY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

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**A BILL**

To amend title XIX of the Social Security Act to provide

families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, 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; AMENDMENTS TO SOCIAL SECU-**  
 4       **RITY ACT; TABLE OF CONTENTS.**

5       (a) **SHORT TITLE.**—This Act may be cited as the  
 6       “Family Opportunity Act of 2003” or the “Dylan Lee  
 7       James Act”.

8       (b) **AMENDMENTS TO SOCIAL SECURITY ACT.**—Ex-  
 9       cept as otherwise specifically provided, whenever in this  
 10      Act an amendment is expressed in terms of an amendment  
 11      to or repeal of a section or other provision, the reference  
 12      shall be considered to be made to that section or other  
 13      provision of the Social Security Act.

14      (c) **TABLE OF CONTENTS.**—The table of contents of  
 15      this Act is as follows:

- Sec. 1. Short title; amendments to Social Security Act; table of contents.
- Sec. 2. Opportunity for families of disabled children to purchase medicaid coverage for such children.
- Sec. 3. Treatment of inpatient psychiatric hospital services for individuals under age 21 in home or community-based services waivers.
- Sec. 4. Development and support of family-to-family health information centers.
- Sec. 5. Restoration of medicaid eligibility for certain SSI beneficiaries.

1 **SEC. 2. OPPORTUNITY FOR FAMILIES OF DISABLED CHIL-**  
 2 **DREN TO PURCHASE MEDICAID COVERAGE**  
 3 **FOR SUCH CHILDREN.**

4 (a) STATE OPTION TO ALLOW FAMILIES OF DIS-  
 5 ABLED CHILDREN TO PURCHASE MEDICAID COVERAGE  
 6 FOR SUCH CHILDREN.—

7 (1) IN GENERAL.—Section 1902 (42 U.S.C.  
 8 1396a) is amended—

9 (A) in subsection (a)(10)(A)(ii)—

10 (i) by striking “or” at the end of sub-  
 11 clause (XVII);

12 (ii) by adding “or” at the end of sub-  
 13 clause (XVIII); and

14 (iii) by adding at the end the fol-  
 15 lowing new subclause:

16 “(XIX) who are disabled children  
 17 described in subsection (ee)(1);” and

18 (B) by adding at the end the following new  
 19 subsection:

20 “(ee)(1) Individuals described in this paragraph are  
 21 individuals—

22 “(A) who have not attained 18 years of age;

23 “(B) who would be considered disabled under  
 24 section 1614(a)(3)(C) but for having earnings or  
 25 deemed income or resources (as determined under  
 26 title XVI for children) that exceed the requirements

1 for receipt of supplemental security income benefits;  
 2 and

3 “(C) whose family income does not exceed such  
 4 income level as the State establishes and does not  
 5 exceed—

6 “(i) 250 percent of the income official pov-  
 7 erty line (as defined by the Office of Manage-  
 8 ment and Budget, and revised annually in ac-  
 9 cordance with section 673(2) of the Omnibus  
 10 Budget Reconciliation Act of 1981) applicable  
 11 to a family of the size involved; or

12 “(ii) such higher percent of such poverty  
 13 line as a State may establish, except that—

14 “(I) any medical assistance provided  
 15 to an individual whose family income ex-  
 16 ceeds 250 percent of such poverty line may  
 17 only be provided with State funds; and

18 “(II) no Federal financial participa-  
 19 tion shall be provided under section  
 20 1903(a) for any medical assistance pro-  
 21 vided to such an individual.”.

22 (2) INTERACTION WITH EMPLOYER-SPONSORED  
 23 FAMILY COVERAGE.—Section 1902(cc) (42 U.S.C.  
 24 1396a(cc)), as added by paragraph (1)(B), is

1       amended by adding at the end the following new  
2       paragraph:

3       ~~“(2)(A) If an employer of a parent of an individual~~  
4       described in paragraph (1) offers family coverage under  
5       a group health plan (as defined in section 2791(a) of the  
6       Public Health Service Act); the State shall—

7               ~~“(i) require such parent to apply for, enroll in,~~  
8       and pay premiums for, such coverage as a condition  
9       of such parent’s child being or remaining eligible for  
10       medical assistance under subsection  
11       ~~(a)(10)(A)(ii)(XIX) if the parent is determined eligi-~~  
12       ble for such coverage and the employer contributes  
13       at least 50 percent of the total cost of annual pre-  
14       miums for such coverage; and

15              ~~“(ii) if such coverage is obtained—~~

16               ~~“(I) subject to paragraph (2) of section~~  
17       1916(h), reduce the premium imposed by the  
18       State under that section in an amount that rea-  
19       sonably reflects the premium contribution made  
20       by the parent for private coverage on behalf of  
21       a child with a disability; and

22               ~~“(II) treat such coverage as a third party~~  
23       liability under subsection (a)(25).

24       ~~“(B) In the case of a parent to which subparagraph~~  
25       (A) applies, a State, subject to paragraph (1)(C)(ii), may

1 provide for payment of any portion of the annual premium  
 2 for such family coverage that the parent is required to  
 3 pay. Any payments made by the State under this subpara-  
 4 graph shall be considered, for purposes of section 1903(a),  
 5 to be payments for medical assistance.”.

6 (b) STATE OPTION TO IMPOSE INCOME-RELATED  
 7 PREMIUMS.—Section 1916 (42 U.S.C. 1396o) is amend-  
 8 ed—

9 (1) in subsection (a), by striking “subsection  
 10 (g)” and inserting “subsections (g) and (h)”; and

11 (2) by adding at the end the following new sub-  
 12 section:

13 “(h)(1) With respect to disabled children provided  
 14 medical assistance under section 1902(a)(10)(A)(ii)(XIX),  
 15 subject to paragraph (2), a State may (in a uniform man-  
 16 ner for such children) require the families of such children  
 17 to pay monthly premiums set on a sliding scale based on  
 18 family income.

19 “(2) A premium requirement imposed under para-  
 20 graph (1) may only apply to the extent that—

21 “(A) the aggregate amount of such premium  
 22 and any premium that the parent is required to pay  
 23 for family coverage under section 1902(cc)(2)(A)(i)  
 24 does not exceed 5 percent of the family’s income;  
 25 and

1           “(B) the requirement is imposed consistent with  
2           section 1902(cc)(2)(A)(ii)(I).

3           “(3) A State shall not require prepayment of a pre-  
4           mium imposed pursuant to paragraph (1) and shall not  
5           terminate eligibility of a child under section  
6           1902(a)(10)(A)(ii)(XIX) for medical assistance under this  
7           title on the basis of failure to pay any such premium until  
8           such failure continues for a period of not less than 60 days  
9           from the date on which the premium became past due.  
10          The State may waive payment of any such premium in  
11          any case where the State determines that requiring such  
12          payment would create an undue hardship.”.

13          (e)       CONFORMING       AMENDMENTS.—Section  
14          1903(f)(4) (42 U.S.C. 1396b(f)(4)) is amended in the  
15          matter       preceding       subparagraph       (A);  
16          by       inserting       “1902(a)(10)(A)(ii)(XIX),”       after  
17          “1902(a)(10)(A)(ii)(XVIII),”.

18          (d) EFFECTIVE DATE.—The amendments made by  
19          this section shall apply to medical assistance for items and  
20          services furnished on or after October 1, 2005.

1 **SEC. 3. TREATMENT OF INPATIENT PSYCHIATRIC HOS-**  
 2 **PITAL SERVICES FOR INDIVIDUALS UNDER**  
 3 **AGE 21 IN HOME OR COMMUNITY-BASED**  
 4 **SERVICES WAIVERS.**

5 (a) IN GENERAL.—Section 1915(e) (42 U.S.C.  
 6 1396n(c)) is amended—

7 (1) in paragraph (1)—

8 (A) in the first sentence, by inserting “, or  
 9 would require inpatient psychiatric hospital  
 10 services for individuals under age 21,” after  
 11 “intermediate care facility for the mentally re-  
 12 tarded”; and

13 (B) in the second sentence, by inserting “,  
 14 or would require inpatient psychiatric hospital  
 15 services for individuals under age 21” before  
 16 the period;

17 (2) in paragraph (2)(B), by striking “or serv-  
 18 ices in an intermediate care facility for the mentally  
 19 retarded” each place it appears and inserting “serv-  
 20 ices in an intermediate care facility for the mentally  
 21 retarded, or inpatient psychiatric hospital services  
 22 for individuals under age 21”;

23 (3) in paragraph (2)(C)—

24 (A) by inserting “, or who are determined  
 25 to be likely to require inpatient psychiatric hos-  
 26 pital services for individuals under age 21,”



after “, or intermediate care facility for the  
mentally retarded”; and

(B) by striking “or services in an inter-  
mediate care facility for the mentally retarded”  
and inserting “services in an intermediate care  
facility for the mentally retarded, or inpatient  
psychiatric hospital services for individuals  
under age 21”; and

(4) in paragraph (7)(A)—

(A) by inserting “or would require inpa-  
tient psychiatric hospital services for individuals  
under age 21,” after “intermediate care facility  
for the mentally retarded,”; and

(B) by inserting “or who would require in-  
patient psychiatric hospital services for individ-  
uals under age 21” before the period.

(b) EFFECTIVE DATE.—The amendments made by  
subsection (a) apply with respect to medical assistance  
provided on or after January 1, 2004.

**SEC. 4. DEVELOPMENT AND SUPPORT OF FAMILY-TO-FAM-  
ILY HEALTH INFORMATION CENTERS.**

Section 501 (42 U.S.C. 701) is amended by adding  
at the end the following new subsection:

“(c)(1)(A) For the purpose of enabling the Secretary  
(through grants, contracts, or otherwise) to provide for

1 special projects of regional and national significance for  
 2 the development and support of family-to-family health in-  
 3 formation centers described in paragraph (2)—

4 “(i) there is appropriated to the Secretary, out  
 5 of any money in the Treasury not otherwise appro-  
 6 priated—

7 “(I) \$3,000,000 for fiscal year 2004;

8 “(II) \$4,000,000 for fiscal year 2005; and

9 “(III) \$5,000,000 for fiscal year 2006; and

10 “(ii) there is authorized to be appropriated to  
 11 the Secretary, \$5,000,000 for each of fiscal years  
 12 2007 and 2008.

13 “(B) Funds appropriated or authorized to be appro-  
 14 priated under subparagraph (A) shall—

15 “(i) be in addition to amounts appropriated  
 16 under subsection (a) and retained under section  
 17 502(a)(1) for the purpose of carrying out activities  
 18 described in subsection (a)(2); and

19 “(ii) remain available until expended.

20 “(2) The family-to-family health information centers  
 21 described in this paragraph are centers that—

22 “(A) assist families of children with disabilities  
 23 or special health care needs to make informed  
 24 choices about health care in order to promote good

1 treatment decisions; cost-effectiveness; and improved  
2 health outcomes for such children;

3 “(B) provide information regarding the health  
4 care needs of, and resources available for, children  
5 with disabilities or special health care needs;

6 “(C) identify successful health delivery models  
7 for such children;

8 “(D) develop with representatives of health care  
9 providers; managed care organizations; health care  
10 purchasers; and appropriate State agencies a model  
11 for collaboration between families of such children  
12 and health professionals;

13 “(E) provide training and guidance regarding  
14 caring for such children;

15 “(F) conduct outreach activities to the families  
16 of such children; health professionals; schools; and  
17 other appropriate entities and individuals; and

18 “(G) are staffed by families of children with  
19 disabilities or special health care needs who have ex-  
20 pertise in Federal and State public and private  
21 health care systems and health professionals.

22 “(3) The Secretary shall develop family-to-family  
23 health information centers described in paragraph (2)  
24 under this subsection in accordance with the following:

1           “(A) With respect to fiscal year 2004, such cen-  
2           ters shall be developed in not less than 25 States.

3           “(B) With respect to fiscal year 2005, such  
4           centers shall be developed in not less than 40 States.

5           “(C) With respect to fiscal year 2006, such cen-  
6           ters shall be developed in not less than 50 States  
7           and the District of Columbia.

8           “(4) The provisions of this title that are applicable  
9           to the funds made available to the Secretary under section  
10          502(a)(1) apply in the same manner to funds made avail-  
11         able to the Secretary under paragraph (1)(A).

12          “(5) For purposes of this subsection, the term ‘State’  
13         means each of the 50 States and the District of Colum-  
14         bia.”.

15         **SEC. 5. RESTORATION OF MEDICAID ELIGIBILITY FOR CER-**  
16                 **TAIN SSI BENEFICIARIES.**

17           (a) IN GENERAL.—Section 1902(a)(10)(A)(i)(II) (42  
18         U.S.C. 1396a(a)(10)(A)(i)(II)) is amended—

19                 (1) by inserting “(aa)” after “(H)”;

20                 (2) by striking “) and” and inserting “and”;

21                 (3) by striking “section or who are” and insert-  
22         ing “section), (bb) who are”; and

23                 (4) by inserting before the comma at the end  
24         the following: “; or (cc) who are under 21 years of  
25         age and with respect to whom supplemental security

1 income benefits would be paid under title XVI if  
 2 subparagraphs (A) and (B) of section 1611(e)(7)  
 3 were applied without regard to the phrase ‘the first  
 4 day of the month following’.”

5 (b) EFFECTIVE DATE.—The amendments made by  
 6 subsection (a) shall apply to medical assistance for items  
 7 and services furnished on or after the first day of the first  
 8 calendar quarter that begins after the date of enactment  
 9 of this Act.

10 **SECTION 1. SHORT TITLE; AMENDMENTS TO SOCIAL SECU-**  
 11 **RITY ACT; TABLE OF CONTENTS.**

12 (a) SHORT TITLE.—*This Act may be cited as the*  
 13 *“Family Opportunity Act of 2003” or the “Dylan Lee*  
 14 *James Act”.*

15 (b) AMENDMENTS TO SOCIAL SECURITY ACT.—*Except*  
 16 *as otherwise specifically provided, whenever in this Act an*  
 17 *amendment is expressed in terms of an amendment to or*  
 18 *repeal of a section or other provision, the reference shall*  
 19 *be considered to be made to that section or other provision*  
 20 *of the Social Security Act.*

21 (c) TABLE OF CONTENTS.—*The table of contents of this*  
 22 *Act is as follows:*

- Sec. 1. Short title; amendments to Social Security Act; table of contents.*
- Sec. 2. Opportunity for families of disabled children to purchase medicaid coverage for such children.*
- Sec. 3. Treatment of inpatient psychiatric hospital services for individuals under age 21 in home or community-based services waivers.*
- Sec. 4. Development and support of family-to-family health information centers.*
- Sec. 5. Restoration of medicaid eligibility for certain SSI beneficiaries.*

1 **SEC. 2. OPPORTUNITY FOR FAMILIES OF DISABLED CHIL-**  
 2 **DREN TO PURCHASE MEDICAID COVERAGE**  
 3 **FOR SUCH CHILDREN.**

4 *(a) STATE OPTION TO ALLOW FAMILIES OF DISABLED*  
 5 *CHILDREN TO PURCHASE MEDICAID COVERAGE FOR SUCH*  
 6 *CHILDREN.—*

7 *(1) IN GENERAL.—Section 1902 (42 U.S.C.*  
 8 *1396a) is amended—*

9 *(A) in subsection (a)(10)(A)(ii)—*

10 *(i) by striking “or” at the end of sub-*  
 11 *clause (XVII);*

12 *(ii) by adding “or” at the end of sub-*  
 13 *clause (XVIII); and*

14 *(iii) by adding at the end the following*  
 15 *new subclause:*

16 *“(XIX) who are disabled children*  
 17 *described in subsection (cc)(1);”;* and

18 *(B) by adding at the end the following new*  
 19 *subsection:*

20 *“(cc)(1) Individuals described in this paragraph are*  
 21 *individuals—*

22 *“(A) who have not attained 18 years of age;*

23 *“(B) who would be considered disabled under*  
 24 *section 1614(a)(3)(C) but for having earnings or*  
 25 *deemed income or resources (as determined under title*

1 *XVI for children) that exceed the requirements for re-*  
 2 *ceipt of supplemental security income benefits; and*

3 “(C) *whose family income does not exceed such*  
 4 *income level as the State establishes and does not ex-*  
 5 *ceed—*

6 “(i) *250 percent of the income official pov-*  
 7 *erty line (as defined by the Office of Management*  
 8 *and Budget, and revised annually in accordance*  
 9 *with section 673(2) of the Omnibus Budget Rec-*  
 10 *onciliation Act of 1981) applicable to a family*  
 11 *of the size involved; or*

12 “(ii) *such higher percent of such poverty*  
 13 *line as a State may establish, except that—*

14 “(I) *any medical assistance provided*  
 15 *to an individual whose family income ex-*  
 16 *ceeds 250 percent of such poverty line may*  
 17 *only be provided with State funds; and*

18 “(II) *no Federal financial participa-*  
 19 *tion shall be provided under section 1903(a)*  
 20 *for any medical assistance provided to such*  
 21 *an individual.”.*

22 (2) *INTERACTION WITH EMPLOYER-SPONSORED*  
 23 *FAMILY COVERAGE.—Section 1902(cc) (42 U.S.C.*  
 24 *1396a(cc)), as added by paragraph (1)(B), is amend-*  
 25 *ed by adding at the end the following new paragraph:*

1       “(2)(A) *If an employer of a parent of an individual*  
 2       *described in paragraph (1) offers family coverage under a*  
 3       *group health plan (as defined in section 2791(a) of the Pub-*  
 4       *lic Health Service Act), the State shall—*

5               “(i) *require such parent to apply for, enroll in,*  
 6       *and pay premiums for, such coverage as a condition*  
 7       *of such parent’s child being or remaining eligible for*  
 8       *medical assistance under subsection*  
 9       *(a)(10)(A)(ii)(XIX) if the parent is determined eligi-*  
 10       *ble for such coverage and the employer contributes at*  
 11       *least 50 percent of the total cost of annual premiums*  
 12       *for such coverage; and*

13              “(ii) *if such coverage is obtained—*

14                      “(I) *subject to paragraph (2) of section*  
 15       *1916(h), reduce the premium imposed by the*  
 16       *State under that section in an amount that rea-*  
 17       *sonably reflects the premium contribution made*  
 18       *by the parent for private coverage on behalf of a*  
 19       *child with a disability; and*

20                      “(II) *treat such coverage as a third party*  
 21       *liability under subsection (a)(25).*

22       “(B) *In the case of a parent to which subparagraph*  
 23       *(A) applies, a State, subject to paragraph (1)(C)(ii), may*  
 24       *provide for payment of any portion of the annual premium*  
 25       *for such family coverage that the parent is required to pay.*



1 *Any payments made by the State under this subparagraph*  
 2 *shall be considered, for purposes of section 1903(a), to be*  
 3 *payments for medical assistance.”.*

4 *(b) STATE OPTION TO IMPOSE INCOME-RELATED PRE-*  
 5 *MIUMS.—Section 1916 (42 U.S.C. 1396o) is amended—*

6 *(1) in subsection (a), by striking “subsection (g)”*  
 7 *and inserting “subsections (g) and (h)”;* and

8 *(2) by adding at the end the following new sub-*  
 9 *section:*

10 *“(h)(1) With respect to disabled children provided*  
 11 *medical assistance under section 1902(a)(10)(A)(ii)(XIX),*  
 12 *subject to paragraph (2), a State may (in a uniform man-*  
 13 *ner for such children) require the families of such children*  
 14 *to pay monthly premiums set on a sliding scale based on*  
 15 *family income.*

16 *“(2) A premium requirement imposed under para-*  
 17 *graph (1) may only apply to the extent that—*

18 *“(A) the aggregate amount of such premium and*  
 19 *any premium that the parent is required to pay for*  
 20 *family coverage under section 1902(cc)(2)(A)(i) does*  
 21 *not exceed 5 percent of the family’s income; and*

22 *“(B) the requirement is imposed consistent with*  
 23 *section 1902(cc)(2)(A)(ii)(I).*

24 *“(3) A State shall not require prepayment of a pre-*  
 25 *mium imposed pursuant to paragraph (1) and shall not*

1 *terminate eligibility of a child under section*  
 2 *1902(a)(10)(A)(ii)(XIX) for medical assistance under this*  
 3 *title on the basis of failure to pay any such premium until*  
 4 *such failure continues for a period of not less than 60 days*  
 5 *from the date on which the premium became past due. The*  
 6 *State may waive payment of any such premium in any*  
 7 *case where the State determines that requiring such pay-*  
 8 *ment would create an undue hardship.”.*

9 (c) *CONFORMING AMENDMENT.*—Section 1903(f)(4)  
 10 (42 U.S.C. 1396b(f)(4)) is amended in the matter preceding  
 11 subparagraph (A), by inserting “1902(a)(10)(A)(ii)(XIX),”  
 12 after “1902(a)(10)(A)(ii)(XVIII),”.

13 (d) *EFFECTIVE DATE.*—The amendments made by this  
 14 section shall apply to medical assistance for items and serv-  
 15 ices furnished on or after October 1, 2005.

16 **SEC. 3. TREATMENT OF INPATIENT PSYCHIATRIC HOSPITAL**  
 17 **SERVICES FOR INDIVIDUALS UNDER AGE 21**  
 18 **IN HOME OR COMMUNITY-BASED SERVICES**  
 19 **WAIVERS.**

20 (a) *IN GENERAL.*—Section 1915(c) (42 U.S.C.  
 21 1396n(c)) is amended—

22 (1) in paragraph (1)—

23 (A) in the first sentence, by inserting “, or  
 24 would require inpatient psychiatric hospital  
 25 services for individuals under age 21,” after “in-

1        *intermediate care facility for the mentally re-*  
 2        *tarded*"; and

3                (B) in the second sentence, by inserting "*,*  
 4        *or would require inpatient psychiatric hospital*  
 5        *services for individuals under age 21*" before the  
 6        *period*;

7                (2) in paragraph (2)(B), by striking "*or services*  
 8        *in an intermediate care facility for the mentally re-*  
 9        *tarded*" each place it appears and inserting "*services*  
 10        *in an intermediate care facility for the mentally re-*  
 11        *tarded, or inpatient psychiatric hospital services for*  
 12        *individuals under age 21*";

13                (3) in paragraph (2)(C)—

14                (A) by inserting "*, or who are determined*  
 15        *to be likely to require inpatient psychiatric hos-*  
 16        *pital services for individuals under age 21,*"  
 17        after "*, or intermediate care facility for the men-*  
 18        *tally retarded*"; and

19                (B) by striking "*or services in an inter-*  
 20        *mediate care facility for the mentally retarded*"  
 21        and inserting "*services in an intermediate care*  
 22        *facility for the mentally retarded, or inpatient*  
 23        *psychiatric hospital services for individuals*  
 24        *under age 21*"; and

25                (4) in paragraph (7)(A)—

(A) by inserting “or would require inpatient psychiatric hospital services for individuals under age 21,” after “intermediate care facility for the mentally retarded,”; and

(B) by inserting “or who would require inpatient psychiatric hospital services for individuals under age 21” before the period.

(b) *EFFECTIVE DATE.*—The amendments made by subsection (a) apply with respect to medical assistance provided on or after October 1, 2004.

**SEC. 4. DEVELOPMENT AND SUPPORT OF FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.**

Section 501 (42 U.S.C. 701) is amended by adding at the end the following new subsection:

“(c)(1)(A) For the purpose of enabling the Secretary (through grants, contracts, or otherwise) to provide for special projects of regional and national significance for the development and support of family-to-family health information centers described in paragraph (2)—

“(i) there is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated—

“(I) \$3,000,000 for fiscal year 2005;

“(II) \$4,000,000 for fiscal year 2006; and

“(III) \$5,000,000 for fiscal year 2007; and

1           “(ii) there is authorized to be appropriated to  
2           the Secretary, \$5,000,000 for each of fiscal years 2008  
3           and 2009.

4           “(B) Funds appropriated or authorized to be appro-  
5           priated under subparagraph (A) shall—

6           “(i) be in addition to amounts appropriated  
7           under subsection (a) and retained under section  
8           502(a)(1) for the purpose of carrying out activities  
9           described in subsection (a)(2); and

10          “(ii) remain available until expended.

11          “(2) The family-to-family health information centers  
12          described in this paragraph are centers that—

13               “(A) assist families of children with disabilities  
14               or special health care needs to make informed choices  
15               about health care in order to promote good treatment  
16               decisions, cost-effectiveness, and improved health out-  
17               comes for such children;

18               “(B) provide information regarding the health  
19               care needs of, and resources available for, children  
20               with disabilities or special health care needs;

21               “(C) identify successful health delivery models  
22               for such children;

23               “(D) develop with representatives of health care  
24               providers, managed care organizations, health care  
25               purchasers, and appropriate State agencies a model

1     *for collaboration between families of such children*  
 2     *and health professionals;*

3             *“(E) provide training and guidance regarding*  
 4     *caring for such children;*

5             *“(F) conduct outreach activities to the families of*  
 6     *such children, health professionals, schools, and other*  
 7     *appropriate entities and individuals; and*

8             *“(G) are staffed by families of children with dis-*  
 9     *abilities or special health care needs who have exper-*  
 10    *tise in Federal and State public and private health*  
 11    *care systems and health professionals.*

12    *“(3) The Secretary shall develop family-to-family*  
 13    *health information centers described in paragraph (2) in*  
 14    *accordance with the following:*

15             *“(A) With respect to fiscal year 2004, such cen-*  
 16    *ters shall be developed in not less than 25 States.*

17             *“(B) With respect to fiscal year 2005, such cen-*  
 18    *ters shall be developed in not less than 40 States.*

19             *“(C) With respect to fiscal year 2006, such cen-*  
 20    *ters shall be developed in all States.*

21    *“(4) The provisions of this title that are applicable to*  
 22    *the funds made available to the Secretary under section*  
 23    *502(a)(1) apply in the same manner to funds made avail-*  
 24    *able to the Secretary under paragraph (1)(A).*

1       “(5) *For purposes of this subsection, the term ‘State’*  
 2       *means each of the 50 States and the District of Columbia.*”.

3       **SEC. 5. RESTORATION OF MEDICAID ELIGIBILITY FOR CER-**  
 4       **TAIN SSI BENEFICIARIES.**

5       (a) *IN GENERAL.*—Section 1902(a)(10)(A)(i)(II) (42  
 6       U.S.C. 1396a(a)(10)(A)(i)(II)) is amended—

7               (1) *by inserting “(aa)” after “(II)”;*

8               (2) *by striking “) and” and inserting “and”;*

9               (3) *by striking “section or who are” and insert-*  
 10       *ing “section), (bb) who are”; and*

11              (4) *by inserting before the comma at the end the*  
 12       *following: “, or (cc) who are under 21 years of age*  
 13       *and with respect to whom supplemental security in-*  
 14       *come benefits would be paid under title XVI if sub-*  
 15       *paragraphs (A) and (B) of section 1611(c)(7) were*  
 16       *applied without regard to the phrase ‘the first day of*  
 17       *the month following’”.*

18       (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 19       *section (a) shall apply to medical assistance for items and*  
 20       *services furnished on or after October 1, 2004.*

**Calendar No. 295**

108TH CONGRESS  
1ST SESSION

**S. 622**

**[Report No. 108–157]**

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**A BILL**

To amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

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SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2003

Reported with an amendment