

109TH CONGRESS
1ST SESSION

S. 1298

To amend titles XIX and XXI of the Social Security Act to permit States to cover low-income youth up to age 23.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2005

Mrs. LINCOLN (for herself, Mr. BINGAMAN, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend titles XIX and XXI of the Social Security Act to permit States to cover low-income youth up to age 23.

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.**

4 This Act may be cited as the “Health Care for Young
5 Adults Act of 2005”.

6 **SEC. 2. PROVIDING STATE OPTION FOR SCHIP AND MED-**

7 **ICAID COVERAGE OF YOUNG ADULTS UP TO**

8 **AGE 23.**

9 (a) IN GENERAL.—

1 (1) MEDICAID.—(A) Section 1902(l)(1)(D) of
2 the Social Security Act (42 U.S.C. 1396a(l)(1)(D))
3 is amended by inserting “(or, at the option of the
4 State, who have not attained 20, 21, or 22 years of
5 age, as the State may elect)” after “have not at-
6 tained 19 years of age”.

7 (B) Clause (i) of section 1905(a) of the Social
8 Security Act (42 U.S.C. 1396d(a)) is amended by
9 striking “under the age of 21, or, at the option of
10 the State, under the age of 20, 19, or 18 as the
11 State may choose” and inserting “under the age of
12 23, or, at the option of the State, under the age of
13 22, 21, 20, 19, or 18 as the State may elect”.

14 (2) SCHIP.—Section 2110(c)(1) of such Act
15 (42 U.S.C. 1397jj(c)(1)) is amended by inserting
16 after “19 years of age” the following: “(or, at the
17 option of the State and subject to the availability of
18 additional allotments under section 2104(d), 20, 21,
19 22, or 23 years of age)”.

20 (b) ADDITIONAL SCHIP ALLOTMENTS FOR PRO-
21 VIDING COVERAGE OF OPTIONAL YOUNG ADULTS.—

22 (1) IN GENERAL.—Section 2104 of such Act
23 (42 U.S.C. 1397dd) is amended by inserting after
24 subsection (c) the following:

1 “(d) ADDITIONAL ALLOTMENTS FOR THE PROVISION
2 OF COVERAGE TO OPTIONAL YOUNG ADULTS.—

3 “(1) APPROPRIATION; TOTAL ALLOTMENT.—

4 For the purpose of providing additional allotments
5 to States under this title, there is appropriated, out
6 of any money in the Treasury not otherwise appro-
7 priated, for each of fiscal years 2006 through 2009,
8 \$500,000,000.

9 “(2) STATE AND TERRITORIAL ALLOTMENTS.—

10 In addition to the allotments provided under sub-
11 sections (b) and (c), subject to paragraph (3), of the
12 amount available for the additional allotments under
13 paragraph (1) for a fiscal year, the Secretary shall
14 allot to each State with a State child health plan ap-
15 proved under this title—

16 “(A) in the case of such a State other than
17 a commonwealth or territory described in sub-
18 paragraph (B), the same proportion as the pro-
19 portion of the State’s allotment under sub-
20 section (b) (determined without regard to sub-
21 section (f)) to the total amount of the allot-
22 ments under subsection (b) for such States eli-
23 gible for an allotment under this paragraph for
24 such fiscal year; and

1 “(B) in the case of a commonwealth or ter-
2 ritory described in subsection (c)(3), the same
3 proportion as the proportion of the common-
4 wealth’s or territory’s allotment under sub-
5 section (c) (determined without regard to sub-
6 section (f)) to the total amount of the allot-
7 ments under subsection (c) for commonwealths
8 and territories eligible for an allotment under
9 this paragraph for such fiscal year.

10 “(3) USE OF ADDITIONAL ALLOTMENT.—Addi-
11 tional allotments provided under this subsection are
12 not available for amounts expended before October
13 1, 2005. Such amounts are available for amounts ex-
14 pended on or after such date only for—

15 “(A) expenditures described in section
16 1905(u)(4)(A); and

17 “(B) child health assistance for individuals
18 who are targeted low-income children and over
19 18 years of age and who are low-income chil-
20 dren only because of an election by the State
21 under section 2110(c)(1).”.

22 “(2) CONFORMING AMENDMENTS.—Section 2104
23 of such Act (42 U.S.C. 1397dd) is amended—

1 (A) in subsection (a), in the matter pre-
2 ceding paragraph (1), by inserting “subject to
3 subsection (d),” after “under this section,”;

4 (B) in subsection (b)(1), by inserting “and
5 subsection (d)” after “Subject to paragraph
6 (4)”; and

7 (C) in subsection (c)(1), by inserting “sub-
8 ject to subsection (d),” after “for a fiscal
9 year,”.

10 (c) MODIFICATION OF MEDICAID CAPS FOR TERRI-
11 TORIES.—Section 1108 of such Act (42 U.S.C. 1308) is
12 amended—

13 (1) in subsection (f), by striking “subsection
14 (g)” and inserting “subsections (g) and (h)”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “(h) The Secretary shall provide for such increase in
18 the limitations under subsections (f) and (g) with respect
19 to each of the territories as may be necessary for each
20 such territory to provide for an expansion of medicaid cov-
21 erage to young adults described in section
22 1902(l)(1)(D).”.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section apply to items and services furnished on or
25 after October 1, 2005, without regard to whether regula-

1 tions implementing such amendments have been promul-
2 gated.

3 **SEC. 3. GRANTS TO IMPLEMENT MEDICAID AND SCHIP EX-**
4 **PANSIONS.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services shall provide for grants to States (as de-
7 fined for purposes of titles XIX and XXI of the Social
8 Security Act) in order to enable such States to implement
9 expansions of eligibility for children and young adults
10 their State medicaid plans under title XIX of the Social
11 Security Act and State child health plans under title XXI
12 of such Act. Such grants shall be available for planning,
13 implementation, and outreach with respect to such ex-
14 panded eligibility populations.

15 (b) TERMS AND CONDITIONS.—Grants under this
16 section shall be made available under such terms and con-
17 ditions, including the approval of a grant application, as
18 the Secretary shall specify.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated such sums as may be
21 necessary to provide for grants under this section.

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