

112TH CONGRESS  
1ST SESSION

# H. R. 3542

To amend section 5001 of division B of the American Recovery and Reinvestment Act of 2009 to extend the temporary increase in Medicaid FMAP through the end of fiscal year 2012.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2011

Mr. GRIJALVA introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To amend section 5001 of division B of the American Recovery and Reinvestment Act of 2009 to extend the temporary increase in Medicaid FMAP through the end of fiscal year 2012.

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 “Medicaid Enhancement  
5       and Emergency Job Creation Act of 2011”.

1 **SEC. 2. EXTENSION OF ARRA INCREASE IN FMAP THROUGH**  
2 **FISCAL YEAR 2012.**

3 (a) IN GENERAL.—Section 5001 of division B of the  
4 American Recovery and Reinvestment Act of 2009 (Public  
5 Law 111–5), as amended by section 201 of Public Law  
6 111–226, is amended—

7 (1) in subsection (a)—

8 (A) by striking “and” at the end of para-  
9 graph (2);

10 (B) in paragraph (3), by striking “, but  
11 only for the first 3 calendar quarters in fiscal  
12 year 2011.” and inserting “; and”; and

13 (C) by adding at the end the following new  
14 paragraph:

15 “(4) fiscal year 2011 is less than the FMAP as  
16 so determines for fiscal year 2008, fiscal year 2009  
17 (after the application of paragraph (1)), fiscal year  
18 2010 (after the application of paragraph (2), or fis-  
19 cal year 2011 (after the application of paragraph  
20 (3)), the greatest of such FMAP for the State for  
21 fiscal year 2008, fiscal year 2009, fiscal year 2010,  
22 or fiscal year 2011, shall be substituted for the  
23 State’s FMAP for fiscal year 2012 before the appli-  
24 cation of this section.”;

25 (2) in subsection (b)(3), by adding at the end  
26 the following:

1           “(C) FOURTH QUARTER OF FISCAL YEAR  
2           2011 AND FIRST AND SECOND QUARTERS OF  
3           FISCAL YEAR 2012.—For each State, for the  
4           fourth quarter of fiscal year 2011 and the first  
5           and second quarters of fiscal year 2012, the  
6           FMAP percentage increase for the State under  
7           paragraph (1) or (2) (as applicable) shall be 6.2  
8           percentage points.

9           “(D) THIRD QUARTER OF FISCAL YEAR  
10          2012.—For each State, for the third quarter of  
11          fiscal year 2012, the FMAP percentage increase  
12          for the State under paragraph (1) or (2) (as  
13          applicable) shall be 3.2 percentage points.

14          “(E) FOURTH QUARTER OF FISCAL YEAR  
15          2011.—For each State, for the fourth quarter of  
16          fiscal year 2012, the FMAP percentage increase  
17          for the State under paragraph (1) or (2) (as  
18          applicable) shall be 1.2 percentage points.”;

19          (3) in subsection (c)—

20                 (A) in paragraph (2)(B), by striking “Jan-  
21                 uary 1, 2011” and inserting “April 1, 2012”;

22                 (B) in paragraph (3)(B)(i), by striking  
23                 “January 1, 2011” and inserting “April 1,  
24                 2012” each place it appears; and

1 (C) in paragraph (4)(C)(ii), by striking  
2 “January 2011” and inserting “April 2012”;

3 (4) in subsection (f)(1)(A), by adding at the  
4 end the following: “The previous sentence shall  
5 apply for quarters beginning after the date of the  
6 enactment of this sentence in the case of a State op-  
7 erating under a Statewide waiver as of such date re-  
8 gardless of whether the waiver in effect on July 1,  
9 2008, was renewed or extended after such date”;

10 (5) in subsection (g)(1), by striking “March 31,  
11 2012” and inserting “September 30, 2013”; and

12 (6) in subsection (h)(3), by striking “June 30,  
13 2011” and inserting “September 30, 2012”.

14 (b) PAYMENT ADJUSTMENT.—The Secretary of  
15 Health and Human Services shall provide, not later than  
16 30 days after the date of the enactment of this Act, for  
17 such adjustments of payments to States under title XIX  
18 of the Social Security Act as may be necessary for cal-  
19 endar quarters ending before such date to reflect the  
20 amendments made by subsection (a).

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