

115TH CONGRESS
1ST SESSION

S. 1827

To extend funding for the Children’s Health Insurance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2017

Mr. HATCH (for himself, Mr. WYDEN, Mr. BROWN, Ms. STABENOW, Mr. CASEY, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To extend funding for the Children’s Health Insurance Program, 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.**

4 This Act may be cited as the “Keep Kids’ Insurance
5 Dependable and Secure Act of 2017” or the “KIDS Act
6 of 2017”.

1 **SEC. 2. FIVE-YEAR FUNDING EXTENSION OF THE CHIL-**
2 **DREN'S HEALTH INSURANCE PROGRAM.**

3 (a) APPROPRIATION; TOTAL ALLOTMENT.—Section
4 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a))
5 is amended—

6 (1) in paragraph (19), by striking “and”;

7 (2) in paragraph (20), by striking the period at
8 the end and inserting a semicolon; and

9 (3) by adding at the end the following new
10 paragraphs:

11 “(21) for fiscal year 2018, \$21,500,000,000;

12 “(22) for fiscal year 2019, \$22,600,000,000;

13 “(23) for fiscal year 2020, \$23,700,000,000;

14 “(24) for fiscal year 2021, \$24,800,000,000;

15 and

16 “(25) for fiscal year 2022, for purposes of mak-
17 ing 2 semi-annual allotments—

18 “(A) \$2,850,000,000 for the period begin-
19 ning on October 1, 2021, and ending on March
20 31, 2022; and

21 “(B) \$2,850,000,000 for the period begin-
22 ning on April 1, 2022, and ending on Sep-
23 tember 30, 2022.”.

24 (b) ALLOTMENTS.—

1 (1) IN GENERAL.—Section 2104(m) of the So-
2 cial Security Act (42 U.S.C. 1397dd(m)) is amend-
3 ed—

4 (A) in paragraph (2)—

5 (i) in the heading, by striking
6 “THROUGH 2016” and inserting
7 “THROUGH 2022”; and

8 (ii) in subparagraph (B)—

9 (I) in the matter preceding clause

10 (i), by striking “(19)” and inserting
11 “(24)”;

12 (II) in clause (ii), in the matter
13 preceding subclause (I), by inserting
14 “(other than fiscal year 2022)” after
15 “even-numbered fiscal year”; and

16 (III) in clause (ii)(I), by inserting
17 “(or, in the case of fiscal year 2018,
18 under paragraph (4))” after “clause
19 (i)”;

20 (B) in paragraph (5)—

21 (i) by striking “or (4)” and inserting
22 “(4), or (10)”;

23 (ii) by striking “or 2017” and insert-
24 ing “, 2017, or 2022”;

25 (C) in paragraph (7)—

1 (i) in subparagraph (A), by striking
2 “2017” and inserting “2022”; and

3 (ii) in the matter following subpara-
4 graph (B)(ii), by striking “or fiscal year
5 2016” and inserting “fiscal year 2016, fis-
6 cal year 2018, fiscal year 2020, or fiscal
7 year 2022”;

8 (D) in paragraph (9)—

9 (i) in the heading, by striking “FISCAL
10 YEARS 2015 AND 2017” and inserting
11 “CERTAIN FISCAL YEARS”;

12 (ii) by striking “or (4)” and inserting
13 “, (4), or (10)”;

14 (iii) by striking “or fiscal year 2017”
15 and inserting “, 2017, or 2022”;

16 (E) by adding at the end the following new
17 paragraph:

18 “(10) FOR FISCAL YEAR 2022.—

19 “(A) FIRST HALF.—Subject to paragraphs
20 (5) and (7), from the amount made available
21 under subparagraph (A) of paragraph (25) of
22 subsection (a) for the semi-annual period de-
23 scribed in such subparagraph, increased by the
24 amount of the appropriation for such period
25 under section 2(b)(3) of the KIDS Act of 2017,

1 the Secretary shall compute a State allotment
2 for each State (including the District of Colum-
3 bia and each commonwealth and territory) for
4 such semi-annual period in an amount equal to
5 the first half ratio (described in subparagraph
6 (D)) of the amount described in subparagraph
7 (C).

8 “(B) SECOND HALF.—Subject to para-
9 graphs (5) and (7), from the amount made
10 available under subparagraph (B) of paragraph
11 (25) of subsection (a) for the semi-annual pe-
12 riod described in such subparagraph, the Sec-
13 retary shall compute a State allotment for each
14 State (including the District of Columbia and
15 each commonwealth and territory) for such
16 semi-annual period in an amount equal to the
17 amount made available under such subpara-
18 graph, multiplied by the ratio of—

19 “(i) the amount of the allotment to
20 such State under subparagraph (A); to

21 “(ii) the total of the amount of all of
22 the allotments made available under such
23 subparagraph.

24 “(C) FULL YEAR AMOUNT BASED ON
25 GROWTH FACTOR UPDATED AMOUNT.—The

1 amount described in this subparagraph for a
2 State is equal to the sum of—

3 “(i) the amount of the State allotment
4 for fiscal year 2021 determined under
5 paragraph (2)(B)(i); and

6 “(ii) the amount of any payments
7 made to the State under subsection (n) for
8 fiscal year 2021,

9 multiplied by the allotment increase factor
10 under paragraph (6) for fiscal year 2022.

11 “(D) FIRST HALF RATIO.—The first half
12 ratio described in this subparagraph is the ratio
13 of—

14 “(i) the sum of—

15 “(I) the amount made available
16 under subsection (a)(25)(A); and

17 “(II) the amount of the appro-
18 priation for such period under section
19 2(b)(3) of the KIDS Act of 2017; to

20 “(ii) the sum of—

21 “(I) the amount described in
22 clause (i); and

23 “(II) the amount made available
24 under subsection (a)(25)(B).”.

1 (2) TECHNICAL AMENDMENT.—Section
2 2104(m)(2)(A) of such Act (42 U.S.C.
3 1397dd(m)(2)(A)) is amended by striking “the allot-
4 ment increase factor under paragraph (5)” each
5 place it appears and inserting “the allotment in-
6 crease factor under paragraph (6)”.

7 (3) ONE-TIME APPROPRIATION FOR FISCAL
8 YEAR 2022.—There is appropriated to the Secretary
9 of Health and Human Services, out of any money in
10 the Treasury not otherwise appropriated,
11 \$20,200,000,000 to accompany the allotment made
12 for the period beginning on October 1, 2021, and
13 ending on March 31, 2022, under paragraph
14 (25)(A) of section 2104(a) of the Social Security Act
15 (42 U.S.C. 1397dd(a)) (as added by subsection
16 (a)(3)), to remain available until expended. Such
17 amount shall be used to provide allotments to States
18 under paragraph (10) of section 2104(m) of such
19 Act (as added by subsection (b)(1)(E)) for the first
20 6 months of fiscal year 2022 in the same manner as
21 allotments are provided under subsection (a)(25)(A)
22 of such section 2104 and subject to the same terms
23 and conditions as apply to the allotments provided
24 from such subsection (a)(25)(A).

1 (c) EXTENSION OF THE CHILD ENROLLMENT CON-
2 TINGENCY FUND.—Section 2104(n) of the Social Security
3 Act (42 U.S.C. 1397dd(n)) is amended—

4 (1) in paragraph (2)—

5 (A) in subparagraph (A)(ii)—

6 (i) by striking “2010, 2011, 2012,
7 2013, 2014, and 2016” and inserting
8 “2010 through 2014, 2016, and 2018
9 through 2021”; and

10 (ii) by striking “fiscal year 2015 and
11 fiscal year 2017” and inserting “fiscal
12 years 2015, 2017, and 2022”; and

13 (B) in subparagraph (B)—

14 (i) by striking “2010, 2011, 2012,
15 2013, 2014, and 2016” and inserting
16 “2010 through 2014, 2016, and 2018
17 through 2021”; and

18 (ii) by striking “fiscal year 2015 and
19 fiscal year 2017” and inserting “fiscal year
20 2015, 2017, and 2022”; and

21 (2) in paragraph (3)(A), in the matter pre-
22 ceding clause (i), by striking “or a semi-annual allot-
23 ment period for fiscal year 2015 or 2017” and in-
24 serting “or in any of fiscal years 2018 through 2021

1 (or a semi-annual allotment period for fiscal year
2 2015, 2017, or 2022)”.

3 (d) EXTENSION OF QUALIFYING STATES OPTION.—
4 Section 2105(g)(4) of the Social Security Act (42 U.S.C.
5 1397ee(g)(4)) is amended—

6 (1) in the heading, by striking “THROUGH
7 2017” and inserting “THROUGH 2022”; and

8 (2) in subparagraph (A), by striking “2017”
9 and inserting “2022”.

10 (e) EXTENSION OF EXPRESS LANE ELIGIBILITY OP-
11 TION.—Section 1902(e)(13)(I) of the Social Security Act
12 (42 U.S.C. 1396a(e)(13)(I)) is amended by striking
13 “2017” and inserting “2022”.

14 (f) ASSURANCE OF AFFORDABILITY STANDARD FOR
15 CHILDREN AND FAMILIES.—

16 (1) IN GENERAL.—Section 2105(d)(3) of the
17 Social Security Act (42 U.S.C. 1397ee(d)(3)) is
18 amended—

19 (A) in the paragraph heading, by striking
20 “UNTIL OCTOBER 1, 2019” and inserting
21 “THROUGH SEPTEMBER 30, 2022”; and

22 (B) in subparagraph (A), in the matter
23 preceding clause (i)—

24 (i) by striking “2019” and inserting
25 “2022”; and

1 (ii) by striking “The preceding sen-
2 tence shall not be construed as preventing
3 a State during such period” and inserting
4 “During the period that begins on October
5 1, 2019, and ends on September 30, 2022,
6 the preceding sentence shall only apply
7 with respect to children in families whose
8 income does not exceed 300 percent of the
9 poverty line (as defined in section
10 2110(c)(5)) applicable to a family of the
11 size involved. The preceding sentences shall
12 not be construed as preventing a State
13 during any such periods”.

14 (2) CONFORMING AMENDMENTS.—Section
15 1902(gg)(2) of the Social Security Act (42 U.S.C.
16 1396a(gg)(2)) is amended—

17 (A) in the paragraph heading, by striking
18 “UNTIL OCTOBER 1, 2019” and inserting
19 “THROUGH SEPTEMBER 30, 2022”; and

20 (B) by striking “September 30, 2019,”
21 and inserting “September 30, 2022 (but during
22 the period that begins on October 1, 2019, and
23 ends on September 30, 2022, only with respect
24 to children in families whose income does not
25 exceed 300 percent of the poverty line (as de-

1 fined in section 2110(c)(5)) applicable to a fam-
 2 ily of the size involved”).

3 **SEC. 3. EXTENSION OF CERTAIN PROGRAMS AND DEM-**
 4 **ONSTRATION PROJECTS.**

5 (a) CHILDHOOD OBESITY DEMONSTRATION
 6 PROJECT.—Section 1139A(e)(8) of the Social Security
 7 Act (42 U.S.C. 1320b–9a(e)(8)) is amended—

8 (1) by striking “and \$10,000,000” and insert-
 9 ing “, \$10,000,000”; and

10 (2) by inserting after “2017” the following: “,
 11 and \$25,000,000 for the period of fiscal years 2018
 12 through 2022”.

13 (b) PEDIATRIC QUALITY MEASURES PROGRAM.—
 14 Section 1139A(i) of the Social Security Act (42 U.S.C.
 15 1320b–9a(i)) is amended—

16 (1) by striking “Out of any” and inserting the
 17 following:

18 “(1) IN GENERAL.—Out of any”;

19 (2) by striking “there is appropriated for each”
 20 and inserting “there is appropriated—

21 “(A) for each”;

22 (3) by striking “, and there is appropriated for
 23 the period” and inserting “;

24 “(B) for the period”;

1 (4) by striking “. Funds appropriated under
 2 this subsection shall remain available until ex-
 3 pended” and inserting “; and”; and

4 (5) by adding at the end the following:

5 “(C) for the period of fiscal years 2018
 6 through 2022, \$75,000,000 for the purpose of
 7 carrying out this section (other than sub-
 8 sections (e), (f), and (g)).

9 “(2) AVAILABILITY.—Funds appropriated
 10 under this subsection shall remain available until ex-
 11 pended.”.

12 **SEC. 4. EXTENSION OF OUTREACH AND ENROLLMENT PRO-**
 13 **GRAM.**

14 Section 2113 of the Social Security Act (42 U.S.C.
 15 1397mm) is amended—

16 (1) in subsection (a)(1), by striking “2017” and
 17 inserting “2022”; and

18 (2) in subsection (g)—

19 (A) by striking “and \$40,000,000” and in-
 20 serting “, \$40,000,000”; and

21 (B) by inserting after “2017” the fol-
 22 lowing: “, and \$100,000,000 for the period of
 23 fiscal years 2018 through 2022”.

1 **SEC. 5. EXTENSION AND REDUCTION OF ADDITIONAL FED-**
2 **ERAL FINANCIAL PARTICIPATION FOR CHIP.**

3 Section 2105(b) of the Social Security Act (42 U.S.C.
4 1397ee(b)) is amended in the second sentence by inserting
5 “and during the period that begins on October 1, 2019,
6 and ends on September 30, 2020, the enhanced FMAP
7 determined for a State for a fiscal year (or for any portion
8 of a fiscal year occurring during such period) shall be in-
9 creased by 11.5 percentage points” after “23 percentage
10 points,”.

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