

118TH CONGRESS
1ST SESSION

H. R. 4096

To amend title XIX of the Social Security Act to expand the application of Medicaid State programs to monitor antipsychotic medications to all Medicaid beneficiaries.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2023

Mr. CARTER of Georgia (for himself and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to expand the application of Medicaid State programs to monitor antipsychotic medications to all Medicaid beneficiaries.

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. EXPANDING APPLICATION OF MEDICAID STATE**
4 **PROGRAMS TO MONITOR ANTIPSYCHOTIC**
5 **MEDICATIONS TO ALL MEDICAID BENE-**
6 **FICIARIES.**

7 Section 1902(o) of the Social Security Act (42
8 U.S.C. 1396a(o)) is amended—

9 (1) in paragraph (1)(B)—

1 (A) in the subparagraph header, by strik-
2 ing “BY CHILDREN”;

3 (B) by inserting “, and, beginning January
4 1, 2024, by individuals (regardless of age) en-
5 rolled,” after “children enrolled”; and

6 (C) by striking “for individuals not more
7 than the age of 18 years generally and children
8 in foster care specifically” and inserting “, in-
9 cluding for individuals not more than the age of
10 18 years generally, children in foster care spe-
11 cifically, and, beginning January 1, 2024, indi-
12 viduals over the age of 65, individuals receiving
13 home and community-based services (as defined
14 in section 9817(a)(2) of Public Law 117–2),
15 and individuals residing in institutional care
16 settings, including nursing facilities and inter-
17 mediate care facilities for individuals with intel-
18 lectual disabilities”; and

19 (2) in paragraph (3)—

20 (A) in subparagraph (A)(ii), by striking “is
21 a resident” and inserting “subject to subpara-
22 graph (C), is a resident”; and

23 (B) by adding at the end the following new
24 subparagraph:

1 “(C) APPLICATION IN CASE OF PROGRAM
2 TO MONITOR ANTIPSYCHOTIC MEDICATIONS.—
3 Subparagraph (A)(ii) shall not apply to the
4 drug review and utilization requirement de-
5 scribed in subparagraph (1)(B) with respect to
6 an individual 18 years of age or older.”.

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