

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure pregnant and post-partum women who receive inpatient treatment for a substance use disorder retain their Medicaid coverage.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 524

To authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Strike section 705 and insert the following:

2 **SEC. 705. MEDICAID COVERAGE PROTECTION FOR PREG-**
 3 **NANT AND POST-PARTUM WOMEN WHILE RE-**
 4 **CEIVING INPATIENT TREATMENT FOR A SUB-**
 5 **STANCE USE DISORDER.**

6 (a) MEDICAID STATE PLAN.—Section 1905(a) of the
 7 Social Security Act (42 U.S.C. 1396d(a)) is amended by
 8 adding at the end the following new sentence: “In the case
 9 of a woman who is eligible for medical assistance on the
 10 basis of being pregnant (including through the end of the
 11 month in which the 60-day period beginning on the last

1 day of her pregnancy ends), who is a patient in an institu-
2 tion for mental diseases for purposes of receiving treat-
3 ment for a substance use disorder, and who was enrolled
4 for medical assistance under the State plan immediately
5 before becoming a patient in an institution for mental dis-
6 eases or who becomes eligible to enroll for such medical
7 assistance while such a patient, the exclusion from the def-
8 inition of ‘medical assistance’ set forth in the subdivision
9 (B) following paragraph (29) of the first sentence shall
10 not be construed as prohibiting Federal financial partici-
11 pation for medical assistance for items or services that are
12 provided to the woman outside of the institution.”.

13 (b) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), the amendment made by subsection (a)
16 shall take effect on the date of enactment of this
17 Act.

18 (2) RULE FOR CHANGES REQUIRING STATE
19 LEGISLATION.—In the case of a State plan under
20 title XIX of the Social Security Act which the Sec-
21 retary of Health and Human Services determines re-
22 quires State legislation (other than legislation appro-
23 priating funds) in order for the plan to meet the ad-
24 ditional requirements imposed by the amendment
25 made by subsection (a), the State plan shall not be

1 regarded as failing to comply with the requirements
2 of such title solely on the basis of its failure to meet
3 these additional requirements before the first day of
4 the first calendar quarter beginning after the close
5 of the first regular session of the State legislature
6 that begins after the date of the enactment of this
7 Act. For purposes of the previous sentence, in the
8 case of a State that has a 2-year legislative session,
9 each year of such session shall be deemed to be a
10 separate regular session of the State legislature.