

**AMENDMENT**

**OFFERED BY M**     .

Strike section 121 (relating to a per capita-based cap on Medicaid payments) and insert the following:

1 **SEC.     . PROVIDING FOR COVERAGE OF MENTAL HEALTH**

2 **SERVICES UNDER MEDICAID.**

3 (a) IN GENERAL.—Section 1905(a) of the Social Se-  
4 curity Act (42 U.S.C. 1396d(a)) is amended by striking  
5 the subdivision (B) that follows paragraph (29).

6 (b) HIGHER FMAP FOR INCREASED EXPENDITURES  
7 UNDER MEDICAID FOR MENTAL AND BEHAVIORAL  
8 HEALTH SERVICES.—

9 (1) IN GENERAL.—Section 1903(a)(5) of the  
10 Social Security Act (42 U.S.C. 1396b(a)(5)) is  
11 amended—

12 (A) by striking “an amount equal” and in-  
13 serting “(A) an amount equal”;

14 (B) by striking “supplies;” and inserting  
15 “supplies; and”; and

16 (C) by adding at the end the following:

17 “(B) an amount equal to 90 percent of the  
18 amounts by which—

1           “(i) the sum of the amounts expended  
2           which are attributable to the offering, arrang-  
3           ing, and furnishing (directly or on a contract  
4           basis) under the State plan of mental and be-  
5           havioral health services (including those related  
6           to substance use) for such quarter, exceeds

7           “(ii) the sum of the amounts expended  
8           which are attributable to the offering, arrang-  
9           ing, and furnishing (directly or on a contract  
10          basis) under the State plan of such services for  
11          the corresponding quarter in the four-quarter  
12          period ending on March 31, 2017; plus”.

13          (2) EFFECTIVE DATE.—The amendments made  
14          by this section shall apply with respect to calendar  
15          quarters beginning on or after January 1, 2018.

16          (c) MACPAC REPORT REGARDING MENTAL AND  
17          BEHAVIORAL HEALTH SERVICES.—Section 1900(b)(6) of  
18          the Social Security Act (42 U.S.C. 1396(b)(6)) is amend-  
19          ed by adding at the end the following new subparagraph:

20                 “(C) ANNUAL REPORTS REGARDING MEN-  
21                 TAL AND BEHAVIORAL HEALTH SERVICES.—

22                 “(i) IN GENERAL.—For each year (be-  
23                 ginning with 2018), MACPAC shall submit  
24                 to Congress a report on mental and behav-  
25                 ioral health services under this title in each

1 State selected under clause (iii) for such  
2 year. Such report shall include information  
3 on the following under this title for each  
4 such State:

5 “(I) Payment rates for such serv-  
6 ices.

7 “(II) The rationale for deriving  
8 such payment rates.

9 “(III) Utilization of such serv-  
10 ices.

11 “(ii) AVAILABILITY OF DHHS INFOR-  
12 MATION.—The Secretary shall periodically  
13 provide to MACPAC such information on  
14 mental and behavioral health services fur-  
15 nished to individuals receiving benefits  
16 under this title as MACPAC may request  
17 for purposes of preparing a report required  
18 under this subparagraph.

19 “(iii) SELECTION OF STATES.—

20 “(I) IN GENERAL.—For each  
21 year (beginning with 2018), MACPAC  
22 shall select, subject to subclause (II),  
23 for purposes of the report required  
24 under clause (i) for such year, not  
25 fewer than five States that, to the

1                   greatest extent possible, vary with re-  
2                   spect to geography, demography, and  
3                   the manner in which mental and be-  
4                   havioral health services are furnished  
5                   under this title.

6                   “(II) ENSURING EVENTUAL SE-  
7                   LECTION OF ALL STATES.—A State  
8                   that has been selected for a year may  
9                   not be selected for a subsequent year  
10                  unless all other States have been se-  
11                  lected during the period beginning  
12                  with such year and ending with such  
13                  subsequent year.”.

