

**AMENDMENT**

**OFFERED BY M**     .

In the section 2203(a) of the Social Security Act proposed by section 132, add at the end the following:

1           “(5) STATE HIGH RISK POOL APPROVAL PROC-  
2           ESS.—Notwithstanding paragraph (2), in the case  
3           that an application submitted to the Administrator  
4           by a State pursuant to paragraph (1) for an alloca-  
5           tion of funds under this title for a year during the  
6           period described in section 2201 is for the purpose  
7           described in paragraph (1) of section 2202 (relating  
8           to high risk pools), such application may not be ap-  
9           proved unless such high risk pool of such State  
10          meets the following requirements:

11           “(A) Coverage provided through the high  
12          risk pool may not be rescinded with respect to  
13          an enrollee in such coverage once the enrollee is  
14          covered under such coverage (except in cases of  
15          fraud or intentional misrepresentation of mate-  
16          rial fact as prohibited by the terms of the cov-  
17          erage).

18           “(B) Every individual who is eligible to re-  
19          ceive the coverage provided through such risk

1 pool is permitted to enroll in such coverage  
2 (such that no enrollment caps are applied).

3 “(C) The high risk pool does not apply any  
4 annual or lifetime limits on the dollar value of  
5 benefits for any participant or beneficiary who  
6 received coverage provided through such risk  
7 pool.”.

