

AMENDMENT

OFFERED BY M____.

Add at the end the following:

1 **SEC. _____. CONDITIONAL EFFECTIVENESS.**

2 The provisions of this subtitle (and the amendments
3 made by this subtitle) shall be made effective with respect
4 to a State plan (or waiver of such plan) under title XIX
5 of the Social Security Act (42 U.S.C. 1396 et seq.), or
6 a State child health plan (or waiver of such plan) under
7 title XXI of the Social Security Act (42 U.S.C. 1397aa
8 ete seq.), only if the State agency administering the re-
9 spective State plan (or waiver) or State child health plan
10 (or waiver) certifies to the Secretary of Health and
11 Human Services that such provisions (and amendments)
12 will not result in—

13 (1) an increase in the number of people on a
14 waiting list for home and community-based services
15 (as such term is defined in section 9817(a)(2)(B) of
16 the American Rescue Plan Act of 2021 (42 U.S.C.
17 1396d note)), as compared to the number of people
18 on such a waiting list as of the day before the date
19 of the enactment of this subtitle; or

1 (2) a reduction in the amount, duration, or
2 scope of such services for individuals enrolled or eli-
3 gible under such State plan (or waiver) or State
4 child health plan (or waiver), as compared to the
5 amount, duration, and scope of such services for
6 such individuals in effect as of the day before the
7 date of the enactment of this subtitle.

