

AMENDMENT TO H.R. 181
OFFERED BY M

At the end of the bill, add the following new section:

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

5 (a) IN GENERAL.—Section 1905(a) of the Social Se-
6 curity Act (42 U.S.C. 1396d(a)) is amended by adding
7 at the end the following new sentence: “In the case of a
8 woman who is eligible for medical assistance on the basis
9 of being pregnant (including through the end of the month
10 in which the 60-day period beginning on the last day of
11 her pregnancy ends), who is a patient in an institution
12 for mental diseases for purposes of receiving treatment for
13 a substance use disorder, and who was enrolled for medical
14 assistance under the State plan immediately before becom-
15 ing a patient in an institution for mental diseases or who
16 becomes eligible to enroll for such medical assistance while
17 such a patient, the exclusion specified in the subdivision
18 (B) following paragraph (29) of the first sentence shall
19 not be construed as prohibiting Federal financial partici-

1 pation for medical assistance for items or services that are
2 provided to the woman outside of the institution.”.

3 (b) EFFECTIVE DATE.—

4 (1) IN GENERAL.—Except as provided in sub-
5 paragraph (B), the amendment made by subsection
6 (a) shall take effect on the date of the enactment of
7 this Act.

8 (2) EXCEPTION IF STATE LEGISLATION RE-
9 QUIRED.—In the case of a State plan under title
10 XIX of the Social Security Act which the Secretary
11 of Health and Human Services determines requires
12 State legislation (other than legislation appro-
13 priating funds) in order for the plan to meet the ad-
14 ditional requirements imposed by the amendment
15 made by paragraph (1), the State plan shall not be
16 regarded as failing to comply with the requirements
17 of such title solely on the basis of its failure to meet
18 these additional requirements before the first day of
19 the first calendar quarter beginning after the close
20 of the first regular session of the State legislature
21 that begins after the date of the enactment of this
22 Act. For purposes of the previous sentence, in the
23 case of a State that has a 2-year legislative session,

- 1 each year of such session shall be deemed to be a
- 2 separate regular session of the State legislature.

