

AMENDMENT TO H.R. 829

OFFERED BY M .

Page 2, line 18, strike “2018” and insert “2020”.

Page 4, line 11, strike “shall” and all that follows through “denial” on line 16 and insert the following: “may continue to be eligible for medical assistance to the extent that the State determines, under procedures established by the State under the State plan (or in the case of a waiver of the plan under section 1115, incorporated in such waiver), or as otherwise established by such State in accordance with such standards as may be specified by the Secretary, that the denial”.

Page 5, beginning on line 1, strike “by reason of” and all that follows through page 6, line 3 and insert the following: “by reason of clause (i), before the date on which the individual loses such eligibility, inform the individual of the date on which the individual would no longer be considered ineligible by reason of such clause to receive medical assistance under the State plan or under any waiver of such plan and the date on which the individual would be eligible to reapply to receive such medical assistance.”.

Page 6, line 20, insert “monetary winnings from” before “gambling”.

Strike the subclause beginning on page 6, line 23 (and make such conforming changes as may be necessary).

Page 8, line 8, insert “(or the individual’s spouse)” after “individual”.

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

1 **SEC. 3. MEDICAID COVERAGE OF TOBACCO CESSATION**

2 **SERVICES FOR MOTHERS OF NEWBORNS.**

3 (a) IN GENERAL.—Section 1905(bb) of the Social Se-
4 curity Act (42 U.S.C. 1396d(bb)) is amended by adding
5 at the end the following new paragraph:

6 “(4) A woman shall continue to be treated as de-
7 scribed in this subsection as a pregnant woman through
8 the end of the 1-year period beginning on the date of the
9 birth of a child of the woman.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) Subsections (a)(2)(B) and (b)(2)(B) of sec-
12 tion 1916 of the Social Security Act (42 U.S.C.
13 1396o) are each amended by inserting “(and women
14 described in section 1905(bb) as pregnant women
15 pursuant to paragraph (4) of such section)” after
16 “tobacco cessation by pregnant women”.

1 (2) Section 1927(d)(2)(F) of the Social Secu-
2 rity Act (42 U.S.C. 1396r–8(d)(2)(F)) is amended
3 by inserting “(and women described in section
4 1905(bb) as pregnant women pursuant to paragraph
5 (4) of such section)” after “pregnant women”.

6 (c) EFFECTIVE DATE.—

7 (1) IN GENERAL.—Subject to paragraph (2),
8 the amendments made by this section shall apply
9 with respect to items and services furnished on or
10 after the date that is 2 years after the date of the
11 enactment of this Act.

12 (2) EXCEPTION FOR STATE LEGISLATION.—In
13 the case of a State plan under title XIX of the So-
14 cial Security Act, which the Secretary of Health and
15 Human Services determines requires State legisla-
16 tion in order for the plan to meet any requirement
17 imposed by amendments made by this section, the
18 plan shall not be regarded as failing to comply with
19 the requirements of such title solely on the basis of
20 its failure to meet such an additional requirement
21 before the first day of the first calendar quarter be-
22 ginning after the close of the first regular session of
23 the State legislature that begins after the effective
24 date specified in paragraph (1). For purposes of the
25 previous sentence, in the case of a State that has a

1 2-year legislative session, each year of the session
2 shall be considered to be a separate regular session
3 of the State legislature.

4 (d) REPORT.—Not later than 2 years after the date
5 of the enactment of this Act, the Inspector General of the
6 Department of Health and Human Services shall submit
7 to Congress a report that assesses the use of the tobacco
8 cessation service benefit under the Medicaid program.
9 Such report shall include an assessment of—

10 (1) the extent that States are encouraging the
11 use of such benefit, such as through promotion of
12 beneficiary and provider awareness of such benefit;
13 and

14 (2) gaps in the delivery of such benefit.

