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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

# H. R. 1738

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To amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children’s Health Insurance Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mrs. DINGELL introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children’s Health Insurance Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stabilize Medicaid and  
5 CHIP Coverage Act”.

1 **SEC. 2. 12-MONTH CONTINUOUS ENROLLMENT.**

2 (a) REQUIREMENT OF 12-MONTH CONTINUOUS EN-  
3 ROLLMENT UNDER MEDICAID.—Section 1902(e)(12) of  
4 the Social Security Act (42 U.S.C. 1396a(e)(12)) is  
5 amended to read as follows:

6 “(12) 12-MONTH CONTINUOUS ENROLLMENT.—  
7 Notwithstanding any other provision of this title, a  
8 State plan approved under this title (or under any  
9 waiver of such plan approved pursuant to section  
10 1115 or section 1915), shall provide that an indi-  
11 vidual who is determined to be eligible for benefits  
12 under such plan (or waiver) shall remain eligible and  
13 enrolled for such benefits through the end of the  
14 month in which the 12-month period (beginning on  
15 the date of determination of eligibility) ends.”.

16 (b) REQUIREMENT OF 12-MONTH CONTINUOUS EN-  
17 ROLLMENT UNDER CHIP.—

18 (1) IN GENERAL.—Section 2102(b) of the So-  
19 cial Security Act (42 U.S.C. 1397bb(b)) is amended  
20 by adding at the end the following new paragraph:

21 “(6) REQUIREMENT FOR 12-MONTH CONTIN-  
22 UOUS ENROLLMENT.—Notwithstanding any other  
23 provision of this title, a State child health plan that  
24 provides child health assistance under this title  
25 through a means other than described in section  
26 2101(a)(2), shall provide that an individual who is

1 determined to be eligible for benefits under such  
2 plan shall remain eligible and enrolled for such bene-  
3 fits through the end of the month in which the 12-  
4 month period (beginning on the date of determina-  
5 tion of eligibility) ends.”.

6 (2) CONFORMING AMENDMENT.—Section  
7 2105(a)(4)(A) of the Social Security Act (42 U.S.C.  
8 1397ee(a)(4)(A)) is amended—

9 (A) by striking “has elected the option of”  
10 and inserting “is in compliance with the re-  
11 quirement for”; and

12 (B) by striking “applying such policy  
13 under its State child health plan under this  
14 title” and inserting “in compliance with section  
15 2102(b)”.

16 (c) EFFECTIVE DATE.—

17 (1) IN GENERAL.—Except as provided in para-  
18 graph (2) or (3), the amendments made by sub-  
19 sections (a) and (b) shall apply to determinations  
20 (and redeterminations) of eligibility made on or after  
21 the date that is 18 months after the date of the en-  
22 actment of this Act.

23 (2) EXTENSION OF EFFECTIVE DATE FOR  
24 STATE LAW AMENDMENT.—In the case of a State  
25 plan under title XIX or State child health plan

1 under title XXI of the Social Security Act (42  
2 U.S.C. 1396 et seq.; 42 U.S.C. 1397aa et seq.)  
3 which the Secretary of Health and Human Services  
4 determines requires State legislation (other than leg-  
5 islation appropriating funds) in order for the respec-  
6 tive plan to meet the additional requirement imposed  
7 by the amendment made by subsection (a) or (b), re-  
8 spectively, the respective plan shall not be regarded  
9 as failing to comply with the requirements of such  
10 title solely on the basis of its failure to meet such  
11 applicable additional requirement before the first  
12 day of the first calendar quarter beginning after the  
13 close of the first regular session of the State legisla-  
14 ture that begins after the date of enactment of this  
15 Act. For purposes of the previous sentence, in the  
16 case of a State that has a 2-year legislative session,  
17 each year of the session is considered to be a sepa-  
18 rate regular session of the State legislature.

19 (3) OPTION TO IMPLEMENT 12-MONTH CONTIN-  
20 UOUS ELIGIBILITY PRIOR TO EFFECTIVE DATE.—A  
21 State may elect through a State plan amendment  
22 under title XIX or XXI of the Social Security Act  
23 (42 U.S.C. 1396 et seq.; 42 U.S.C. 1397aa et seq.)  
24 to apply the amendment made by subsection (a) or  
25 (b), respectively, on any date prior to the 18-month

- 1 date specified in paragraph (1), but not sooner than
- 2 the date of the enactment of this Act.