

**AMENDMENT TO THE AMENDMENT
IN THE NATURE OF A SUBSTITUTE TO THE
COMMITTEE PRINT
RELATING TO THE MEDICAID PROGRAM
OFFERED BY M. _____**

Strike section 3105.

Revise section 3108 to read as follows:

1 **SEC. 3108. TEMPORARY INCREASE IN FEDERAL MEDICAL**
2 **ASSISTANCE PERCENTAGE FOR HOME AND**
3 **COMMUNITY-BASED SERVICES, MENTAL**
4 **HEALTH SERVICES, AND SUBSTANCE USE**
5 **DISORDER SERVICES.**

6 (a) IN GENERAL.—Subject to subsection (c), with re-
7 spect to amounts expended by a State for medical assist-
8 ance for services described in subsection (b) that are fur-
9 nished during the period beginning on April 1, 2021 and
10 ending on March 31, 2022, the Federal medical assistance
11 percentage that would otherwise apply with respect to
12 such State and such services under title XIX of the Social
13 Security Act (42 U.S.C. 1396 et seq.) shall be increased
14 (in addition to any other increase to such percentage) by
15 7.35 percentage points with respect to expenditures of the

1 State under the State Medicaid program for such services
2 furnished during such period. In no case may the applica-
3 tion of the previous sentence result in the Federal medical
4 assistance percentage determined for a State being more
5 than 95 percent with respect to such expenditures. Any
6 payment made to Puerto Rico, the Virgin Islands, Guam,
7 the Northern Mariana Islands, or American Samoa for ex-
8 penditures on medical assistance that are subject to the
9 Federal medical assistance percentage increase specified
10 under the first sentence of this subsection shall not be
11 taken into account for purposes of applying payment lim-
12 its under subsections (f) and (g) of section 1108 of the
13 Social Security Act (42 U.S.C. 1308).

14 (b) SERVICES DESCRIBED.—The services described
15 in this subsection are the following:

16 (1) Home and community-based services au-
17 thorized under subsection (e), (d), (i), or (k) of sec-
18 tion 1915 of the Social Security Act (42 U.S.C.
19 1396n) or under section 1115 of such Act (42
20 U.S.C. 1315).

21 (2) Home health care services authorized under
22 section 1905(a)(7) of the Social Security Act (42
23 U.S.C. 1396d(a)(7)).

1 (3) Personal care services authorized under sec-
2 tion 1905(a)(4) of the Social Security Act (42
3 U.S.C. 1396d(a)(24)).

4 (4) PACE program services authorized under
5 section 1934 of the Social Security Act (42 U.S.C.
6 1396u-4).

7 (5) Mental health services as defined by the
8 Secretary of Health and Human Services.

9 (6) Substance use disorder treatment or recov-
10 ery services as defined by the Secretary of Health
11 and Human Services.

12 (c) LIMITATION; REQUIREMENT.—

13 (1) LIMITATION.—In no case shall any increase
14 to the Federal medical assistance percentage for a
15 State pursuant to subsection (a) result in the appli-
16 cation of a Federal medical assistance percentage
17 that exceeds 95 percent.

18 (2) REQUIREMENT TO USE ADDITIONAL FUNDS
19 TO INCREASE PROVIDER PAYMENT RATES.—A State
20 may not receive the increase to the Federal medical
21 assistance percentage for the State described in sub-
22 section (a) unless the State certifies that it will use
23 the additional funds received by the State as a result
24 of such increase to increase payment rates for pro-
25 viders of services described in subsection (b) during

1 the period described in the first sentence of sub-
2 section (a) and to reduce waiting lists to receive
3 home and community-based services.

4 (d) STATE DEFINED.—In this section, the term
5 “State” means each of the 50 States, the District of Co-
6 lumbia, American Samoa, Guam, the Commonwealth of
7 the Northern Mariana Islands, Puerto Rico, and the
8 United States Virgin Islands.

