

COMMITTEE PRINT

Budget Reconciliation Legislative Recommendations Relating to the Children’s Health Insurance Program under title XXI of the Social Security Act

1 **Subtitle H—Children’s Health** 2 **Insurance Program**

3 **SEC. 30801. PERMANENT EXTENSION OF CHILDREN’S** 4 **HEALTH INSURANCE PROGRAM.**

5 (a) IN GENERAL.—Section 2104(a)(28) of the Social
6 Security Act (42 U.S.C. 1397dd(a)(28)) is amended to
7 read as follows:

8 “(28) for fiscal year 2027 and each subsequent
9 year, such sums as are necessary to fund allotments
10 to States under subsection (m).”.

11 (b) ALLOTMENTS.—

12 (1) IN GENERAL.—Section 2104(m) of the So-
13 cial Security Act (42 U.S.C. 1397dd(m)) is amend-
14 ed—

15 (A) in paragraph (2)(B)(i), by striking “,
16 2023, and 2027” and inserting “and 2023”;

17 (B) in paragraph (5)—

18 (i) by striking “(10), or (11)” and in-
19 serting “or (10)”;

1 (ii) by striking “for a fiscal year” and
2 inserting “for a fiscal year before 2027”;
3 and

4 (iii) by striking “2023, or 2027” and
5 inserting “or 2023”;

6 (C) in paragraph (7)—

7 (i) in subparagraph (A), by striking
8 “and ending with fiscal year 2027,”; and

9 (ii) in the flush left matter at the end,
10 by striking “or fiscal year 2026” and in-
11 sserting “fiscal year 2026, or a subsequent
12 even-numbered fiscal year”;

13 (D) in paragraph (9)—

14 (i) by striking “(10), or (11)” and in-
15 sserting “or (10)”;

16 (ii) by striking “2023, or 2027,” and
17 inserting “or 2023”;

18 (E) by striking paragraph (11).

19 (2) CONFORMING AMENDMENT.—Section
20 50101(b)(2) of the Bipartisan Budget Act of 2018
21 (Public Law 115–123) is repealed.

1 **SEC. 30802. PERMANENT EXTENSIONS OF OTHER PRO-**
2 **GRAMS AND DEMONSTRATION PROJECTS.**

3 (a) PEDIATRIC QUALITY MEASURES PROGRAM.—
4 Section 1139A(i)(1) of the Social Security Act (42 U.S.C.
5 1320b–9a(i)(1)) is amended—

6 (1) in subparagraph (C), by striking at the end
7 “and”;

8 (2) in subparagraph (D), by striking the period
9 at the end and insert a semicolon; and

10 (3) by adding at the end the following new sub-
11 paragraphs:

12 “(E) for fiscal year 2028, \$15,000,000 for
13 the purpose of carrying out this section (other
14 than subsections (e), (f), and (g)); and

15 “(F) for a subsequent fiscal year, the
16 amount appropriated under this paragraph for
17 the previous fiscal year, increased by the per-
18 centage increase in the consumer price index for
19 all urban consumers (all items; United States
20 city average) over such previous fiscal year, for
21 the purpose of carrying out this section (other
22 than subsections (e), (f), and (g)).”

23 (b) ASSURANCE OF AFFORDABILITY STANDARD FOR
24 CHILDREN AND FAMILIES.—Section 2105(d)(3) of the
25 Social Security Act (42 U.S.C. 1397ee(d)(3)) is amend-
26 ed—

1 (1) in the paragraph heading, by striking
2 “THROUGH SEPTEMBER 30, 2027”; and

3 (2) in subparagraph (A)—

4 (A) in the matter preceding clause (i)—

5 (i) by striking “During the period
6 that begins on the date of enactment of
7 the Patient Protection and Affordable Care
8 Act and ends on September 30, 2027” and
9 inserting “Beginning on the date of the en-
10 actment of the Patient Protection and Af-
11 fordable Care Act”;

12 (ii) by striking “During the period
13 that begins on October 1, 2019, and ends
14 on September 30, 2027” and inserting
15 “Beginning on October 1, 2019”; and

16 (iii) by striking “The preceding sen-
17 tences shall not be construed as preventing
18 a State during any such periods from” and
19 inserting “The preceding sentences shall
20 not be construed as preventing a State
21 from”;

22 (B) in clause (i), by striking the semicolon
23 at the end and inserting a period;

24 (C) by striking clauses (ii) and (iii); and

1 (D) by striking “periods from” and all that
2 follows through “applying eligibility standards”
3 and inserting “periods from applying eligibility
4 standards”.

5 (c) QUALIFYING STATES OPTION.—Section
6 2105(g)(4) of the Social Security Act (42 U.S.C.
7 1397ee(g)(4)) is amended—

8 (1) in the paragraph heading, by striking “FOR
9 FISCAL YEARS 2009 THROUGH 2027” and inserting
10 “AFTER FISCAL YEAR 2008”; and

11 (2) in subparagraph (A), by striking “for any
12 of fiscal years 2009 through 2027” and inserting
13 “for any fiscal year after fiscal year 2008”.

14 (d) OUTREACH AND ENROLLMENT PROGRAM.—Sec-
15 tion 2113 of the Social Security Act (42 U.S.C. 1397mm)
16 is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1), by striking “during
19 the period of fiscal years 2009 through 2027”
20 and inserting “, beginning with fiscal year
21 2009,”;

22 (B) in paragraph (2)—

23 (i) by striking “10 percent of such
24 amounts” and inserting “10 percent of
25 such amounts for the period or the fiscal

1 year for which such amounts are appro-
2 priated”; and

3 (ii) by striking “during such period”
4 and inserting “, during such period or such
5 fiscal year,”; and

6 (C) in paragraph (3), by striking “For the
7 period of fiscal years 2024 through 2027, an
8 amount equal to 10 percent of such amounts”
9 and inserting “Beginning with fiscal year 2024,
10 an amount equal to 10 percent of such amounts
11 for the period or the fiscal year for which such
12 amounts are appropriated”; and

13 (2) in subsection (g)—

14 (A) by striking “2017,,” and inserting
15 “2017,”;

16 (B) by striking “and \$48,000,000” and in-
17 serting “\$48,000,000”; and

18 (C) by inserting after “through 2027” the
19 following: “, \$60,000,000 for fiscal years 2028,
20 2029, and 2020, for each 3 fiscal years after
21 fiscal year 2030, the amount appropriated
22 under this subsection for the previous fiscal
23 year, increased by the percentage increase in
24 the consumer price index for all urban con-

1 sumers (all items; United States city average)
2 over such previous fiscal year”.

3 (e) CHILD ENROLLMENT CONTINGENCY FUND.—
4 Section 2104(n) of the Social Security Act (42 U.S.C.
5 1397dd(n)) is amended—

6 (1) in paragraph (2)—

7 (A) in subparagraph (A)(ii)—

8 (i) by striking “and 2024 through
9 2026” and inserting “beginning with fiscal
10 year 2024”; and

11 (ii) by striking “2023, and 2027” and
12 inserting “and 2023”; and

13 (B) in subparagraph (B)—

14 (i) by striking “2024 through 2026”
15 and inserting “beginning with fiscal year
16 2024”; and

17 (ii) by striking “2023, and 2027” and
18 inserting “and 2023”; and

19 (2) in paragraph (3)(A)—

20 (A) by striking “fiscal years 2024 through
21 2026” and inserting “fiscal year 2024 or any
22 subsequent fiscal year”; and

23 (B) by striking “2023, or 2027” and in-
24 serting “or 2023”.

1 **SEC. 30803. STATE OPTION TO INCREASE CHILDREN'S ELI-**
2 **GIBILITY FOR MEDICAID AND CHIP.**

3 (a) IN GENERAL.—Section 2110(b)(1)(B)(ii) of the
4 Social Security Act (42 U.S.C. 1397jj(b)(1)(B)(ii)) is
5 amended—

6 (1) in subclause (II), by striking “or” at the
7 end;

8 (2) in subclause (III), by striking “and” at the
9 end and inserting “or”; and

10 (3) by inserting after subclause (III) the fol-
11 lowing new subclause:

12 “(IV) at the option of the State,
13 whose family income exceeds the maximum
14 income level otherwise established for chil-
15 dren under the State child health plan as
16 of the date of the enactment of this sub-
17 clause; and”.

18 (b) TREATMENT OF TERRITORIES.—Section 2104(c)
19 of the Social Security Act (42 U.S.C. 1397dd(c)) is
20 amended—

21 (1) in paragraph (1), by inserting “paragraph
22 (5) and” after “subject to”; and

23 (2) by adding at the end the following new
24 paragraph:

25 “(5) INCREASE IN ALLOTMENT TO ACCOUNT
26 FOR CERTAIN APPROVED PROGRAM EXPANSIONS.—

1 In the case of a commonwealth or territory described
2 in paragraph (3) that—

3 “(A) has submitted to the Secretary, and
4 has approved by the Secretary, a State plan
5 amendment or waiver request relating to an ex-
6 pansion of eligibility pursuant to section
7 2110(b)(1)(B)(ii) for children under this title
8 that becomes effective for a fiscal year; and

9 “(B) has submitted to the Secretary, be-
10 fore the August 31 preceding the beginning of
11 the fiscal year (or, in the case of fiscal year
12 2022, by not later than the date that is 60 days
13 after the date of the enactment of this para-
14 graph), a request for an expansion allotment
15 adjustment under this paragraph for such fiscal
16 year that specifies—

17 “(i) the additional expenditures that
18 are attributable to the eligibility expansion
19 provided under the amendment or waiver
20 described in subparagraph (A), as certified
21 by the commonwealth or territory and sub-
22 mitted to the Secretary by not later than
23 August 31 preceding the beginning of the
24 fiscal year; and

1 “(ii) the extent to which such addi-
2 tional expenditures are projected to exceed
3 the allotment of the commonwealth or ter-
4 ritory for the year,
5 subject to subsection (m)(5), the amount of the
6 allotment of the commonwealth or territory
7 under this subsection for such fiscal year shall
8 be increased by the excess amount described in
9 subparagraph (B)(i). A commonwealth or terri-
10 tory may only obtain an increase under this
11 paragraph for an allotment for fiscal year 2022
12 or a succeeding even-numbered fiscal year.”.

13 **SEC. 30804. EXTENDING CONTINUOUS CHIP COVERAGE FOR**
14 **PREGNANT AND POSTPARTUM WOMEN.**

15 (a) **REQUIRING FULL BENEFITS FOR PREGNANT**
16 **AND POSTPARTUM WOMEN FOR 12-MONTH PERIOD POST**
17 **PREGNANCY.—**

18 (1) **IN GENERAL.—**Section 2107(e)(1)(J) of the
19 Social Security Act (42 U.S.C. 1397gg(e)(1)(J)) is
20 amended—

21 (A) by striking “Paragraphs (5) and (16)”
22 and inserting “(I) For any fiscal year quarter
23 with respect to which the amendments made by
24 section 30804(a)(1)(B) of the Act titled ‘An
25 Act to provide for reconciliation pursuant to

1 title II of S. Con. Res. 14' do not apply (begin-
2 ning with the first fiscal year quarter beginning
3 one year after the date of the enactment of
4 such Act), paragraphs (5)(A) and (16)"; and

5 (B) by adding at the end the following new
6 clause:

7 “(ii) For any fiscal year quarter (beginning
8 with the first fiscal year quarter beginning one
9 year after the date of the enactment of this
10 clause), section 1902(e)(5)(B) (requiring, not-
11 withstanding section 2103(e)(3)(C)(ii)(I) or any
12 other limitation under this title, continuous cov-
13 erage for pregnant and postpartum individuals,
14 including 12 months postpartum, of medical as-
15 sistance, if the State provides child health as-
16 sistance for targeted low-income children who
17 are pregnant or to targeted low-income preg-
18 nant women, under the State child health plan
19 or waiver, including coverage of all items or
20 services provided to a targeted low-income child
21 or targeted low-income pregnant woman (as ap-
22 plicable) under the State child health plan or
23 waiver).”.

1 (2) CONFORMING AMENDMENTS.—Section 2112
2 of the Social Security Act (42 U.S.C. 1397ll) is
3 amended—

4 (A) in subsection (d)—

5 (i) in paragraph (1), by inserting
6 “and includes, through application of sec-
7 tion 1902(e)(5)(B) pursuant to section
8 2107(e)(1)(J)(ii), continuous coverage for
9 pregnant and postpartum individuals, in-
10 cluding 12 months postpartum of assist-
11 ance” before the period at the end; and

12 (ii) in paragraph (2), by striking “60-
13 day period” and all that follows through
14 “ends” and inserting “12-month period
15 (or, for any fiscal year quarter with respect
16 to which the amendments made by section
17 30804(a)(1)(B) of the Act titled ‘An Act
18 to provide for reconciliation pursuant to
19 title II of S. Con. Res. 14’ do not apply
20 (beginning with the first fiscal year quar-
21 ter beginning one year after the date of the
22 enactment of such Act), 60-day period)
23 (beginning on the last day of her preg-
24 nancy) ends”; and

1 (B) in subsection (f)(2), by striking “60-
2 day period” and inserting “12-month period
3 (or, for any fiscal year quarter with respect to
4 which the amendments made by section
5 30804(a)(1)(B) of the Act titled ‘An Act to
6 provide for reconciliation pursuant to title II of
7 S. Con. Res. 14’ do not apply (beginning with
8 the first fiscal year quarter beginning one year
9 after the date of the enactment of such Act),
10 60-day period)”.

11 (b) EFFECTIVE DATE.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the amendments made by this section shall take ef-
14 fect on the 1st day of the 1st fiscal year quarter
15 that begins one year after the date of the enactment
16 of this Act and shall apply with respect to child
17 health assistance and pregnancy-related assistance,
18 as applicable, provided on or after such date.

19 (2) EXCEPTION FOR STATE LEGISLATION.—In
20 the case of a State child health plan under title XXI
21 of the Social Security Act (42 U.S.C. 1397aa et
22 seq.) that the Secretary of Health and Human Serv-
23 ices determines requires State legislation in order for
24 the plan to meet any requirement imposed by
25 amendments made under this section, the plan shall

1 not be regarded as failing to comply with the re-
2 quirements of such title solely on the basis of its
3 failure to meet such a requirement before the first
4 day of the first calendar quarter beginning after the
5 close of the first regular session of the State legisla-
6 ture that begins after the date of the enactment of
7 this Act. For purposes of the previous sentence, in
8 the case of a State that has a 2-year legislative ses-
9 sion, each year of the session shall be considered to
10 be a separate regular session of the State legislature.

11 **SEC. 30805. PROVIDING FOR 1 YEAR OF CONTINUOUS ELIGI-**
12 **BILITY FOR CHILDREN UNDER THE CHIL-**
13 **DREN'S HEALTH INSURANCE PROGRAM.**

14 Section 2107(e)(1) of the Social Security Act (42
15 U.S.C. 1397gg(e)(1)) is amended—

16 (1) by redesignating subparagraphs (K)
17 through (T) as subparagraphs (L) through (U), re-
18 spectively; and

19 (2) by inserting after subparagraph (J) the fol-
20 lowing new subparagraph:

21 “(K) Section 1902(e)(17) (relating to 1
22 year of continuous eligibility for children).”.

