

118TH CONGRESS
1ST SESSION

S. 109

To amend title XXI of the Social Security Act to prohibit lifetime or annual limits on dental coverage under the Children’s Health Insurance Program, and to require wraparound coverage of dental services for certain children under such program.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2023

Mr. CARDIN (for himself and Ms. STABENOW) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XXI of the Social Security Act to prohibit lifetime or annual limits on dental coverage under the Children’s Health Insurance Program, and to require wraparound coverage of dental services for certain children under such program.

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 “Ensuring Kids Have
5 Access to Medically Necessary Dental Care Act”.

1 **SEC. 2. PROHIBITION OF LIFETIME OR ANNUAL LIMITS ON**
2 **DENTAL BENEFITS UNDER THE CHILDREN'S**
3 **HEALTH INSURANCE PROGRAM.**

4 (a) IN GENERAL.—Section 2103(c)(6) of the Social
5 Security Act (42 U.S.C. 1397cc(c)(6)) is amended—

6 (1) in subparagraph (A), by inserting “, subject
7 to subparagraph (D),” after “shall include”;

8 (2) in subparagraph (B), by striking “A State”
9 and inserting “Subject to subparagraph (D), a
10 State”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(D) NO LIFETIME OR ANNUAL LIMITS ON
14 DENTAL BENEFITS.—A State shall not establish
15 lifetime or annual limits on the dollar value of
16 benefits for dental services provided under the
17 State child health plan to a targeted low-income
18 child, and, in the case that the State elects to
19 provide pregnancy-related assistance pursuant
20 to section 2112, to a targeted low-income preg-
21 nant woman (as defined in section 2112(d)), in-
22 cluding benefits for such services that are pro-
23 vided through dental coverage that is otherwise
24 equivalent to a benchmark dental package de-
25 scribed in subparagraph (C).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date that is 6 months
3 after the date of enactment of this Act.

4 **SEC. 3. REQUIRING WRAPAROUND COVERAGE OF DENTAL**
5 **SERVICES FOR CERTAIN CHILDREN UNDER**
6 **CHIP.**

7 (a) IN GENERAL.—Section 2110(b)(5) of the Social
8 Security Act (42 U.S.C. 1397jj(b)(5)) is amended—

9 (1) in the paragraph header, by striking “OP-
10 TION” and inserting “REQUIREMENT”;

11 (2) in subparagraph (A), by striking “may
12 waive” and inserting “shall waive”; and

13 (3) in subparagraph (C)—

14 (A) in the subparagraph header, by strik-
15 ing “CONDITIONS” and inserting “REQUIRE-
16 MENTS”; and

17 (B) by striking “may not offer dental-only
18 supplemental coverage under this paragraph
19 unless the State satisfies the following condi-
20 tions” and inserting “shall offer dental-only
21 supplemental coverage under this paragraph in
22 accordance with the following requirements”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date that is 6 months
3 after the date of enactment of this Act.

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