

116TH CONGRESS
1ST SESSION

S. 2067

To amend title XIX of the Social Security Act to encourage States to disregard parental income and assets when determining Medicaid eligibility for disabled children.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2019

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to encourage States to disregard parental income and assets when determining Medicaid eligibility for disabled children.

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 “Affordable Health Care
5 for Children with Disabilities Act”.

1 **SEC. 2. ENCOURAGING STATES TO DISREGARD PARENTAL**
2 **INCOME AND ASSETS WHEN DETERMINING**
3 **MEDICAID ELIGIBILITY FOR DISABLED CHIL-**
4 **DREN.**

5 (a) IN GENERAL.—Section 1905 of the Social Secu-
6 rity Act (42 U.S.C. 1396d) is amended—

7 (1) in subsection (b), by striking “and (aa)”
8 and inserting “(aa), and (ff)”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(ff) INCREASED FMAP FOR MEDICAL ASSISTANCE
12 FOR CERTAIN DISABLED CHILDREN.—

13 “(1) IN GENERAL.—Notwithstanding subsection
14 (b), if a State elects to make medical assistance
15 available to all individuals described in paragraph
16 (2), the Federal medical assistance percentage for
17 the State with respect to amounts expended by such
18 State for medical assistance furnished to such indi-
19 viduals on or after January 1, 2020, shall be equal
20 to 90 percent.

21 “(2) INDIVIDUALS DESCRIBED.—An individual
22 described in this paragraph is an individual who—

23 “(A) is 18 years of age or younger;

24 “(B) who would be eligible for benefits
25 under the supplemental security income pro-
26 gram under title XVI on the basis of being

1 blind (as determined under section 1614(a)(2))
2 or disabled (as determined under section
3 1614(a)(3)(C)) but for the fact that the individ-
4 ual's income or resources do not meet the re-
5 quirements of such program;

6 “(C) whose income (as determined under
7 section 1612, except as provided in paragraph
8 (3)) does not exceed an income level established
9 by the State consistent with section
10 1902(m)(2)(A); and

11 “(D) whose resources (as determined
12 under section 1613, except as provided in para-
13 graph (3)) do not exceed the maximum amount
14 of resources that an individual may have and
15 obtain benefits under that program.

16 “(3) INCOME AND RESOURCE ELIGIBILITY DE-
17 TERMINATION METHODOLOGY.—In determining
18 whether an individual's income or resources do not
19 exceed the income level established by the State
20 under subparagraph (C) of paragraph (2) or the
21 maximum amount of resources described in subpara-
22 graph (D) of such paragraph, the State shall dis-
23 regard the income and resources of any parent or
24 guardian of the individual and shall treat the indi-
25 vidual as a family of one.

1 “(4) NO WAITING LISTS.—The increased Fed-
2 eral medical assistance percentage available under
3 paragraph (1) shall not apply to a State if the State
4 limits the acceptance of applications from individuals
5 described in paragraph (2) or imposes any numerical
6 limitation, waiting list, or similar limitation on the
7 eligibility of such individuals for medical assist-
8 ance.”.

9 (b) DISREGARD OF LIMITS ON PAYMENTS TO TERRI-
10 TORIES.—Section 1108(g)(4) of the Social Security Act
11 (42 U.S.C. 1308(g)(4)) is amended—

12 (1) by striking “With respect to fiscal years be-
13 ginning with fiscal year 2009,” and inserting the fol-
14 lowing:

15 “(A) IN GENERAL.—With respect to fiscal
16 years beginning with fiscal year 2009,”; and

17 (2) by adding at the end the following:

18 “(B) OTHER EXPENDITURES.—The
19 amounts received by a commonwealth or terri-
20 tory for a calendar quarter of a fiscal year that
21 are attributable to the application of section
22 1905(ff) shall not be taken into account in ap-
23 plying subsection (f) (as increased in accord-
24 ance with paragraphs (1), (2), (3), and (5) of

1 this subsection) to such commonwealth or terri-
2 tory for such fiscal year.”.

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