

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5067

To amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of aliens who are citizens covered under the Compact of Free Association legally residing in the United States under the Medicaid Program and the State children's health insurance program (SCHIP).

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## IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2002

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of aliens who are citizens covered under the Compact of Free Association legally residing in the United States under the Medicaid Program and the State children's health insurance program (SCHIP).

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 "Compact of Free Asso-  
5 ciation Children's Health Improvement Act of 2002".

1 **SEC. 2. OPTIONAL COVERAGE OF ALIENS WHO ARE CITI-**  
2 **ZENS COVERED UNDER THE COMPACT OF**  
3 **FREE ASSOCIATION LEGALLY RESIDING IN**  
4 **THE UNITED STATES UNDER THE MEDICAID**  
5 **PROGRAM AND SCHIP.**

6 (a) **MEDICAID PROGRAM.**—Section 1903(v) of the  
7 Social Security Act (42 U.S.C. 1396b(v)) is amended—

8 (1) in paragraph (1), by striking “paragraph  
9 (2)” and inserting “paragraphs (2) and (4)”; and

10 (2) by adding at the end the following new  
11 paragraph:

12 “(4)(A) A State may elect (in a plan amendment  
13 under this title) to provide medical assistance under this  
14 title, notwithstanding sections 401(a), 402(b), 403, and  
15 421 of the Personal Responsibility and Work Opportunity  
16 Reconciliation Act of 1996, for aliens who are citizens cov-  
17 ered under the Compact of Free Association legally resid-  
18 ing in the United States and who are otherwise eligible  
19 for such assistance, within either or both of the following  
20 eligibility categories:

21 “(i) **PREGNANT WOMEN.**—Women during preg-  
22 nancy (and during the 60-day period beginning on  
23 the last day of the pregnancy).

24 “(ii) **CHILDREN.**—Children (as defined under  
25 such plan), including optional targeted low-income  
26 children described in section 1905(u)(2)(B).

1           “(B) In the case of a State that has elected to provide  
2 medical assistance to a category of aliens under subpara-  
3 graph (A), no debt shall accrue under an affidavit of sup-  
4 port against any sponsor of such an alien on the basis  
5 of provision of assistance to such category and the cost  
6 of such assistance shall not be considered as an unreim-  
7 bursed cost.”.

8           (b) SCHIP.—Section 2107(e)(1) of such Act (42  
9 U.S.C. 1397gg(e)(1)) as amended by section 803 of the  
10 Medicare, Medicaid, and SCHIP Benefits Improvement  
11 and Protection Act of 2000, as enacted into law by section  
12 1(a)(6) of Public Law 106–554, is amended by redesignig-  
13 nating subparagraphs (C) and (D) as subparagraph (D)  
14 and (E), respectively, and by inserting after subparagraph  
15 (B) the following new subparagraph:

16                           “(C) Section 1903(v)(4) (relating to op-  
17 tional coverage of categories of citizens covered  
18 under the Compact of Free Association legally  
19 residing in the United States), but only if the  
20 State has elected to apply such section to the  
21 category of children under title XIX.”.

22           (c) EFFECTIVE DATE.—The amendments made by  
23 this section take effect on October 1, 2002, and apply to

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- 1 medical assistance and child health assistance furnished
- 2 on or after such date.

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