

112TH CONGRESS
1ST SESSION

H. R. 1035

To amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to permit Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2011

Ms. HIRONO (for herself, Mr. FALEOMAVAEGA, Ms. HANABUSA, and Ms. BORDALLO) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to permit Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicaid Coverage for
3 Citizens of Freely Associated States Act of 2011”.

4 **SEC. 2. MEDICAID COVERAGE FOR CITIZENS OF FREELY AS-**
5 **SOCIATED STATES.**

6 (a) IN GENERAL.—Section 402(b)(2) of the Personal
7 Responsibility and Work Opportunity Reconciliation Act
8 of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at
9 the end the following new subparagraph:

10 “(G) MEDICAID EXCEPTION FOR CITIZENS
11 OF FREELY ASSOCIATED STATES.—With respect
12 to eligibility for benefits for the designated Fed-
13 eral program defined in paragraph (3)(C) (re-
14 lating to the Medicaid program), section 401(a)
15 and paragraph (1) shall not apply to any indi-
16 vidual who lawfully resides in 1 of the 50 States
17 or the District of Columbia in accordance with
18 the Compacts of Free Association between the
19 Government of the United States and the Gov-
20 ernments of the Federated States of Micro-
21 nesia, the Republic of the Marshall Islands, and
22 the Republic of Palau and shall not apply, at
23 the option of the Governor of Puerto Rico, the
24 Virgin Islands, Guam, the Northern Mariana
25 Islands, or American Samoa as communicated
26 to the Secretary of Health and Human Services

1 in writing, to any individual who lawfully re-
2 sides in the respective territory in accordance
3 with such Compacts.”.

4 (b) EXCEPTION TO 5-YEAR LIMITED ELIGIBILITY.—
5 Section 403(d) of such Act (8 U.S.C. 1613(d)) is amend-
6 ed—

7 (1) in paragraph (1), by striking “or” at the
8 end;

9 (2) in paragraph (2), by striking the period at
10 the end and inserting “; or”; and

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

13 “(3) an individual described in section
14 402(b)(2)(G), but only with respect to the des-
15 ignated Federal program defined in section
16 402(b)(3)(C).”.

17 (c) DEFINITION OF QUALIFIED ALIEN.—Section
18 431(b) of such Act (8 U.S.C. 1641(b)) is amended—

19 (1) in paragraph (6), by striking “; or” at the
20 end and inserting a comma;

21 (2) in paragraph (7), by striking the period at
22 the end and inserting “, or”; and

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

1 “(8) an individual who lawfully resides in the
2 United States in accordance with a Compact of Free
3 Association referred to in section 402(b)(2)(G), but
4 only with respect to the designated Federal program
5 defined in section 402(b)(3)(C) (relating to the Med-
6 icaid program).”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to benefits for items and services
9 furnished on or after the date of the enactment of this
10 Act.

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