

117TH CONGRESS
1ST SESSION

S. 3332

To amend title XI of the Social Security Act to allow States to promote Medicaid objectives through work or community engagement requirements.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2021

Mr. BRAUN (for himself, Mrs. BLACKBURN, Mr. ROMNEY, Mr. YOUNG, Mr. INHOFE, and Mr. HAGERTY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XI of the Social Security Act to allow States to promote Medicaid objectives through work or community engagement requirements.

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 “Let States Innovate
5 Under Medicaid Act”.

1 **SEC. 2. PROMOTING MEDICAID OBJECTIVES THROUGH**
 2 **WORK OR COMMUNITY ENGAGEMENT RE-**
 3 **QUIREMENTS.**

4 Section 1115(d) of the Social Security Act (42 U.S.C.
 5 1315(d)) is amended—

6 (1) in paragraph (1), by inserting “(which may
 7 include the objective to reduce dependence on med-
 8 ical assistance by conditioning the receipt of medical
 9 assistance on the satisfaction of a work or commu-
 10 nity engagement requirement (as defined in para-
 11 graph (4))” after “the objectives of title XIX or
 12 XXI”; and

13 (2) by adding at the end the following new
 14 paragraph:

15 “(4)(A) For purposes of this subsection, the
 16 term ‘work or community engagement requirement’
 17 means, with respect to an individual, the individual’s
 18 participation in work activities (as defined in section
 19 407(d)) for such period of time as determined by the
 20 State, and as directed and administered by the
 21 State.

22 “(B) Such term shall not include any require-
 23 ment that applies with respect to any of the fol-
 24 lowing categories of individuals:

25 “(i) Individuals who are age 65 or older.

1 “(ii) Individuals who are age 19 or young-
2 er.

3 “(iii) Individuals who are eligible for bene-
4 fits or assistance under the Temporary Assist-
5 ance for Needy Families program under part A
6 of title IV or the Supplemental Nutrition As-
7 sistance Program established under the Food
8 and Nutrition Act of 2008.

9 “(iv) Individuals who are medically frail
10 (as defined in section 1937(a)(2)(B)(vi)).

11 “(v) Individuals during pregnancy and the
12 60-day postpartum period beginning on the last
13 day of pregnancy.

14 “(vi) Individuals suffering from a tem-
15 porary illness or incapacity that an appropriate
16 professional has certified prevents their partici-
17 pation in work activities.

18 “(vii) Individuals who are engaged in
19 treatment for a substance use disorder.

20 “(viii) Individuals whose participation in
21 work activities is subject to any other good
22 cause exemption established by the State and
23 approved by the Secretary.”.

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