

118TH CONGRESS
2D SESSION

H. R. 10058

To amend title XIX of the Social Security Act to require coverage for certain individual with breast or cervical cancer under the Medicaid program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2024

Ms. WATERS (for herself, Mr. GARAMENDI, Mr. ESPAILLAT, Mr. GOTTHEIMER, Mr. CONNOLLY, Mr. GRIJALVA, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to require coverage for certain individual with breast or cervical cancer under the Medicaid 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 “Medicaid Breast Can-
5 cer Access to Treatment Act”.

1 **SEC. 2. REQUIRING MEDICAID COVERAGE FOR CERTAIN IN-**
 2 **DIVIDUALS WITH BREAST OR CERVICAL CAN-**
 3 **CER UNDER THE MEDICAID PROGRAM.**

4 (a) IN GENERAL.—Section 1902 of the Social Secu-
 5 rity Act (42 U.S.C. 1396a) is amended—

6 (1) in subsection (a)(10)—

7 (A) in subparagraph (A)—

8 (i) in the matter preceding clause (i),
 9 by striking “and (30)” and inserting
 10 “(30), and (32)”;

11 (ii) in clause (i)—

12 (I) in subclause (VIII), by strik-
 13 ing “or” at the end;

14 (II) in subclause (IX), by adding
 15 “or” at the end; and

16 (III) by adding at the end the
 17 following new subclause:

18 “(X) who are described in subsection
 19 (aa) (relating to certain breast or cervical
 20 cancer patients);”; and

21 (iii) in clause (ii), by striking sub-
 22 clause (XVIII); and

23 (B) in the matter at the end, in subdivision
 24 (XIV), by striking “subparagraph
 25 (A)(10)(ii)(XVIII)” and inserting “subpara-
 26 graph (A)(10)(i)(X)”;

1 (2) in subsection (aa)—

2 (A) by striking paragraphs (1) and (2);

3 (B) by redesignating paragraphs (3) and

4 (4) as paragraphs (1) and (2), respectively; and

5 (C) in paragraph (2), as so redesignated,

6 by inserting “as in effect on the day before the

7 date of the enactment of the Patient Protection

8 and Affordable Care Act,” after “(42 U.S.C.

9 300gg(c)),”.

10 (b) INCLUSION OF BREAST RECONSTRUCTION AS

11 MEDICAL ASSISTANCE.—Section 1905(a) of the Social Se-

12 curity Act (42 U.S.C. 1396d(a)) is amended—

13 (1) in paragraph (31), by striking “and” at the

14 end;

15 (2) by redesignating paragraph (32) as para-

16 graph (33); and

17 (3) by inserting after paragraph (31) the fol-

18 lowing new paragraph:

19 “(32) breast reconstruction following a medi-

20 cally necessary mastectomy; and”.

21 (c) CONFORMING AMENDMENTS.—

22 (1) FMAP.—Section 1905(b)(4) of the Social

23 Security Act (42 U.S.C. 1396d(b)(4)) is amended by

24 striking “section 1902(a)(10)(A)(ii)(XVIII)” and in-

25 serting “section 1902(a)(10)(A)(i)(X)”.

1 (2) COST SHARING.—

2 (A) IN GENERAL.—Subsections (a)(2) and
3 (b)(2) of section 1916 of the Social Security
4 Act (42 U.S.C. 1396o) are each amended—

5 (i) in subparagraph (I), by striking
6 “or” at the end;

7 (ii) in subparagraph (J), by striking
8 “; and” at the end and inserting “, or”;
9 and

10 (iii) by adding at the end the fol-
11 lowing new subparagraph:

12 “(K) items and services furnished to individuals
13 described in section 1902(aa); and”.

14 (B) ALTERNATIVE COST SHARING.—Sec-
15 tion 1916A(b)(3) of the Social Security Act (42
16 U.S.C. 1396o–1(b)(3)) is amended—

17 (i) in subparagraph (A)(v), by striking
18 “1902(a)(10)(A)(ii)(XVIII)” and inserting
19 “1902(a)(10)(A)(i)(X)”;

20 (ii) in subparagraph (B)(viii), by
21 striking “1902(a)(10)(A)(ii)(XVIII)” and
22 inserting “1902(a)(10)(A)(i)(X)”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply beginning 1 year after the date
3 of the enactment of this Act.

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