

118TH CONGRESS
1ST SESSION

H. R. 1316

To amend titles XIX and XXI of the Social Security Act to allow States to provide for extended periods of continuous coverage under the Medicaid and CHIP programs for children, to provide a period of continuous eligibility under the Medicaid program for certain adults, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2023

Mr. NEGUSE introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend titles XIX and XXI of the Social Security Act to allow States to provide for extended periods of continuous coverage under the Medicaid and CHIP programs for children, to provide a period of continuous eligibility under the Medicaid program for certain adults, and for other purposes.

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 “Save Children’s Cov-
5 erage Act”.

1 **SEC. 2. OPTIONAL EXTENSION OF CONTINUOUS ELIGI-**
2 **BILITY FOR CHILDREN UNDER MEDICAID**
3 **AND CHIP.**

4 (a) UNDER THE MEDICAID PROGRAM.—Section
5 1902(e) of the Social Security Act (42 U.S.C. 1396a(e))
6 is amended by adding at the end the following new para-
7 graph:

8 “(17) OPTIONAL EXTENSION OF CONTINUOUS
9 ELIGIBILITY FOR CHILDREN.—

10 “(A) CHILDREN UNDER AGE 6.—At the
11 option of the State, the State plan (or waiver
12 of such State plan) may provide that an indi-
13 vidual who is under the age of 6 and who is de-
14 termined to be eligible for benefits under a
15 State plan (or waiver of such plan) approved
16 under this title may remain eligible for such
17 benefits until the earlier of—

18 “(i) the time that such individual at-
19 tains the age of 6; or

20 “(ii) the date that such individual
21 ceases to be a resident of such State.

22 “(B) CHILDREN AGE 6 THROUGH 18.—At
23 the option of the State, the State plan (or waiv-
24 er of such State plan) may provide that an indi-
25 vidual who is over the age of 5 and under the
26 age of 19, and who is determined to be eligible

1 for benefits under a State plan (or waiver of
2 such plan) approved under this title, may re-
3 main eligible for such benefits until the earlier
4 of—

5 “(i) the end of the 24-month period
6 beginning on the date of such determina-
7 tion;

8 “(ii) the time that such individual at-
9 tains the age of 19; or

10 “(iii) the date that such individual
11 ceases to be a resident of such State.”.

12 (b) UNDER THE CHILDREN’S HEALTH INSURANCE
13 PROGRAM.—Section 2107(e)(1) of the Social Security Act
14 (42 U.S.C. 1397gg(e)(1)) is amended—

15 (1) by redesignating subparagraphs (L) through
16 (U) as subparagraphs (M) through (V), respectively;
17 and

18 (2) by inserting after subparagraph (K) the fol-
19 lowing new subparagraph:

20 “(L) Section 1902(e)(17) (relating to the
21 State option to extend continuous eligibility for
22 children under the age of 19).”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on the first day following the
25 end of the emergency period described in section

1 1135(g)(1)(B) of the Social Security Act (42 U.S.C.
2 1320b-5(g)(1)(B)).

3 **SEC. 3. OPTION TO PROVIDE CONTINUOUS ELIGIBILITY**
4 **FOR CERTAIN INDIVIDUALS UNDER MED-**
5 **ICAID.**

6 (a) IN GENERAL.—Section 1902(e) of the Social Se-
7 curity Act (42 U.S.C. 1396a(e)), as amended by section
8 2, is further amended by adding at the end the following
9 new paragraph:

10 “(18) OPTION FOR CONTINUOUS ELIGIBILITY
11 FOR CERTAIN INDIVIDUALS.—

12 “(A) IN GENERAL.—At the option of the
13 State, the State plan (or waiver of such State
14 plan) may provide that an eligible individual (as
15 defined in subparagraph (B)) who is determined
16 to be eligible for benefits under a State plan (or
17 waiver of such plan) approved under this title,
18 may remain eligible for such benefits until the
19 earlier of—

20 “(i) the end of the 12-month period
21 beginning on the date of such determina-
22 tion; or

23 “(ii) the date that such individual
24 ceases to be a resident of such State.

1 “(B) ELIGIBLE INDIVIDUAL DEFINED.—

2 For purposes of this paragraph, the term ‘eligi-
3 ble individual’ means an individual over the age
4 of 18—

5 “(i) whose income does not exceed 28
6 percent of the poverty line (as defined by
7 the Office of Management and Budget,
8 and revised annually in accordance with
9 section 673(2) of the Omnibus Budget
10 Reconciliation Act of 1981);

11 “(ii) who, in the 2 years prior to such
12 individual’s application for medical assist-
13 ance under a plan under this title, experi-
14 enced homelessness (as defined in section
15 103 of the McKinney-Vento Homeless As-
16 sistance Act); or

17 “(iii) who, in the 2 years prior to such
18 individual’s application for medical assist-
19 ance under a plan under this title, was in-
20 carcerated in a prison or psychiatric hos-
21 pital.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 this section shall take effect on the first day following the
24 end of the emergency period described in section

1 1135(g)(1)(B) of the Social Security Act (42 U.S.C.
2 1320b–5(g)(1)(B)).

3 **SEC. 4. DATA VERIFICATION REQUIREMENT FOR NEW**
4 **WAIVERS.**

5 (a) PROGRAM WAIVERS.—Section 1915 of the Social
6 Security Act (42 U.S.C. 1396n) is amended—

7 (1) in subsection (b), by striking “The Sec-
8 retary” and inserting “Subject to subsection (m),
9 the Secretary”;

10 (2) in subsection (c)(1), by striking “The Sec-
11 retary may by waiver” and inserting “Subject to
12 subsection (m), the Secretary may by waiver”; and

13 (3) by adding at the end the following new sub-
14 section:

15 “(m) DATA VERIFICATION REQUIREMENT FOR NEW
16 WAIVERS.—In the case of a waiver granted under this sec-
17 tion on or after the first day following the end of the emer-
18 gency period described in section 1135(g)(1)(B) of the So-
19 cial Security Act, as a condition of receiving such waiver,
20 a State shall agree to conduct an annual review of the
21 demographic information of individuals enrolled under a
22 State plan under this title, including the names, dates of
23 birth, and contact information for such individuals.”.

1 (b) RESEARCH AND DEMONSTRATION WAIVERS.—
2 Section 1115 of the Social Security Act (42 U.S.C. 1315)
3 is amended—

4 (1) in subsection (a)(1), by inserting “subject
5 to subsection (g),” before “the Secretary”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(g) In the case of a waiver granted under this sec-
9 tion on or after the first day following the end of the emer-
10 gency period described in section 1135(g)(1)(B) of the So-
11 cial Security Act, as a condition of receiving such waiver,
12 a State shall agree to conduct an annual review of the
13 demographic information of individuals enrolled under a
14 State plan under this title, including the names, dates of
15 birth, and contact information for such individuals.”.

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