

116TH CONGRESS
2D SESSION

H. R. 6149

To amend title XIX of the Social Security Act to enhance reporting requirements for nonexpansion States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2020

Mr. CUNNINGHAM 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 enhance reporting requirements for nonexpansion States, 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 “Medicaid Report on
5 Expansion of Access to Coverage for Health Act” or
6 “Medicaid REACH Act”.

7 **SEC. 2. ENHANCED REPORTING REQUIREMENTS FOR NON-**
8 **EXPANSION STATES.**

9 Section 1903 of the Social Security Act (42 U.S.C.
10 1396b) is amended—

1 (1) in subsection (a)(7), by inserting “sub-
2 section (bb) and” before “section 1919(g)(3)(B)”;
3 and

4 (2) by adding at the end the following new sub-
5 section:

6 “(bb) REDUCTION OF FEDERAL PAYMENTS FOR
7 CERTAIN ADMINISTRATIVE COSTS OF NONEXPANSION
8 STATES THAT DO NOT SATISFY REPORTING REQUIRE-
9 MENTS.—

10 “(1) IN GENERAL.—

11 “(A) REDUCTION.—In the case of a non-
12 expansion State, with respect to a fiscal year
13 (beginning with fiscal year 2022) that does not
14 satisfy the reporting requirement under para-
15 graph (2) for such fiscal year, the percentage
16 specified in subsection (a)(7) for amounts de-
17 scribed in such subsection expended by such
18 State during a calendar quarter described in
19 paragraph (4) with respect to such fiscal year,
20 subject to subparagraph (B), shall be reduced
21 by the number of percentage points specified in
22 paragraph (4) for the respective calendar quar-
23 ter.

24 “(B) EXCEPTION.—In the case of a non-
25 expansion State that is subject to a reduction

1 under subparagraph (A) for the calendar quar-
2 ter described in paragraph (4)(A) with respect
3 to a fiscal year, if the State satisfies the criteria
4 described in subparagraphs (A), (B), and (C) of
5 paragraph (2) (without regard to the dates
6 specified in such subparagraph (A) and (C)) be-
7 fore the beginning of a subsequent calendar
8 quarter described in paragraph (4) with respect
9 to such fiscal year, then such State shall not be
10 subject to a reduction under subparagraph (A)
11 for such subsequent calendar quarter.

12 “(2) REPORTING REQUIREMENT.—For pur-
13 poses of paragraph (1), a nonexpansion State satis-
14 fies the reporting requirement under this paragraph
15 for a fiscal year, if the nonexpansion State—

16 “(A) by not later than January 1 of such
17 year, posts on the public website of the State
18 agency administering the State plan, the infor-
19 mation described in paragraph (3) with respect
20 to such State for the previous year;

21 “(B) provides for at least a 30-day period
22 for notice and comment on such information;
23 and

24 “(C) by not later than March 1 of such
25 year, submits to the Secretary a complete re-

port including such information, comments submitted pursuant to subparagraph (B), and a response by the State to each such comment.

“(3) INFORMATION DESCRIBED.—The information described in this paragraph, with respect to a State and year, is the following:

“(A) The estimated number of individuals who were uninsured for at least 6 months, shown by age-groups of 0 to 18 years of age and of 19 years of age to 64 years of age, as well as a detailed description of the basis for the estimates.

“(B) The estimated number of the individuals estimated under subparagraph (A) in the State who would be eligible for medical assistance under the State plan if the State were to make medical assistance under the State plan available in accordance with section 1902(k)(1) to all individuals described in section 1902(a)(10)(i)(VIII), and a detailed description of the basis for the estimates.

“(C) A comprehensive listing of State income eligibility criteria for all mandatory and optional Medicaid eligibility groups for which the State plan provides medical assistance

(other than with respect to individuals described in clause (i)(II), (ii)(VI), or (ii)(XXII) of section 1902(a)(10)(A)).

“(D) The total amount of hospital uncompensated-care costs and a breakdown of the source of such costs, as well as a breakdown for rural and non-rural hospitals.

“(4) PERCENTAGE DESCRIBED.—For purposes of paragraph (1), a calendar quarter described in this paragraph, with respect to a fiscal year, and the percentage points described in this paragraph for such quarter, with respect to a State, are—

“(A) for the calendar quarter beginning on the April 1 occurring during such fiscal year, 0.5 percentage points;

“(B) for the calendar quarter beginning on the July 1 occurring during such fiscal year, 1.0 percentage point; and

“(C) for the calendar quarter beginning on the October 1 occurring during the subsequent fiscal year, 1.5 percentage points.

“(5) PAYMENT IN CASE OF REPORTING STATE.—The expenses incurred by a non-expansion State, with respect to any calendar quarter with respect to a fiscal year (beginning with 2021), for car-

1 rying out subparagraphs (A) through (C) of para-
2 graph (2) shall, for purposes of section 1903(a)(7),
3 be considered to be expenses necessary for the prop-
4 er and efficient administration of the State plan
5 under this title.

6 “(6) NONEXPANSION STATE DEFINED.—For
7 purposes of this subsection, the term ‘nonexpansion
8 State’ means, with respect to a fiscal year, a State
9 that as of the first quarter of such fiscal year does
10 not provide under the State plan of such State (or
11 waiver of such plan) for making medical assistance
12 available in accordance with section 1902(k)(1) to
13 all individuals described in section
14 1902(a)(10)(i)(VIII).”.

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