

118TH CONGRESS
1ST SESSION

H. R. 1079

To amend title XIX of the Social Security Act to implement a minimum work requirement for able-bodied adults enrolled in State Medicaid programs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Mr. GAETZ 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 implement a minimum work requirement for able-bodied adults enrolled in State Medicaid programs.

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 Work Re-
5 quirements Act”.

6 **SEC. 2. WORK REQUIREMENTS FOR ABLE-BODIED ADULTS.**

7 Section 1902 of the Social Security Act (42 U.S.C.
8 1396a) is amended—

9 (1) in subsection (a)—

1 (A) by striking “and” at the end of para-
2 graph (86);

3 (B) by striking the period at the end of
4 paragraph (87) and inserting “; and”; and

5 (C) by inserting after paragraph (87) the
6 following new paragraph:

7 “(88) beginning October 1, 2023, not provide
8 medical assistance with respect to a month to an
9 able-bodied adult (as defined in subsection (uu)(2))
10 that has not met the work requirement described in
11 subsection (uu)(1) for such month.”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(uu) WORK REQUIREMENT FOR ABLE-BODIED
15 ADULTS.—

16 “(1) WORK REQUIREMENT DESCRIBED.—For
17 purposes of subsection (a)(88), the work require-
18 ment described in this subsection with respect to an
19 able-bodied adult and a month is that such adult
20 satisfies at least one of the following with respect to
21 such month:

22 “(A) The adult works 120 hours or more
23 per month, or has a month income that is at
24 least equal to the federal minimum wage, multi-
25 plied by 120 hours.

1 “(B) The adult volunteers for 80 hours or
2 more per month.

3 “(C) The adult participates in a work pro-
4 gram for at least 80 hours a month.

5 “(D) The adult participates in a combina-
6 tion of work, including volunteer work, and a
7 work program for a total of at least 80 hours
8 per month.

9 “(2) DEFINITIONS.—In this subsection:

10 “(A) ABLE-BODIED ADULT.—The term
11 ‘able-bodied adult’ means any individual who is
12 not—

13 “(i) under 18 years of age or over 65
14 years of age;

15 “(ii) physically or mentally unfit for
16 employment, as determined by a physician
17 or other medical professional;

18 “(iii) pregnant;

19 “(iv) the parent or caretaker of a de-
20 pendent child under 6 years of age;

21 “(v) the parent or caretaker of an in-
22 capacitated person;

23 “(vi) complying with work require-
24 ments under a different program under
25 State or Federal law;

1 “(vii) participating in a drug or alco-
2 hol treatment and rehabilitation program
3 (as defined in section 3(h) of the Food and
4 Nutrition Act of 2008); or

5 “(viii) enrolled in a college or univer-
6 sity, or a training program, at least half
7 time.

8 “(B) INCAPACITATED PERSON.—The term
9 ‘incapacitated person’ means an individual who
10 is incapable of making decisions concerning the
11 provision, withholding, or withdrawal of foods,
12 liquid, or medical treatment under applicable
13 law.

14 “(C) WORK PROGRAM.—The term ‘work
15 program’ means—

16 “(i) a program approved by the Sec-
17 retary of Labor pursuant to section 236(a)
18 of the Trade Act of 1974; or

19 “(ii) an employment or training pro-
20 gram operated by a State or a political
21 subdivision of a State.”.

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