

114TH CONGRESS
2D SESSION

H. R. 5411

To amend title XIX of the Social Security Act to provide under the State plan under the Medicaid program early and periodic screening, diagnostic, and treatment services to individuals under age 21 who are receiving services in institutions for mental diseases.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2016

Mr. KENNEDY (for himself, Ms. SCHAKOWSKY, Mr. TONKO, and Ms. MATSUI) 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 provide under the State plan under the Medicaid program early and periodic screening, diagnostic, and treatment services to individuals under age 21 who are receiving services in institutions for mental diseases.

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 “Fair Care for Kids
5 Act”.

1 **SEC. 2. PROVIDING FULL-RANGE OF EPSDT SERVICES TO**
2 **CHILDREN IN IMDS.**

3 (a) PROVIDING FULL-RANGE OF EPSDT SERVICES
4 TO CHILDREN IN IMDS.—Section 1905(h) of the Social
5 Security Act (42 U.S.C. 1396d(h)) is amended by adding
6 at the end the following new paragraph:

7 “(3) Such term includes the full-range of early and
8 periodic screening, diagnostic, and treatment services (as
9 defined in subsection (r)), whether or not furnished by the
10 provider of the services described in paragraph (1).”.

11 (b) EFFECTIVE DATE.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the amendment made by subsection (a) shall apply
14 to items and services furnished on or after the date
15 of the enactment of this section.

16 (2) EXCEPTION FOR STATE LEGISLATION.—In
17 the case of a State plan under title XIX of the So-
18 cial Security Act, which the Secretary of Health and
19 Human Services determines requires State legisla-
20 tion in order for the respective plan to meet any re-
21 quirement imposed by the amendments made by
22 subsection (a), the respective plan shall not be re-
23 garded as failing to comply with the requirements of
24 such title solely on the basis of its failure to meet
25 such an additional requirement before the first day
26 of the first calendar quarter beginning after the

1 close of the first regular session of the State legisla-
2 ture that begins after the date of enactment of this
3 Act. For purposes of the previous sentence, in the
4 case of a State that has a 2-year legislative session,
5 each year of the session shall be considered to be a
6 separate regular session of the State legislature.

○