

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.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2020

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

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## 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-

1 port including such information, comments sub-  
2 mitted pursuant to subparagraph (B), and a re-  
3 sponse by the State to each such comment.

4 “(3) INFORMATION DESCRIBED.—The informa-  
5 tion described in this paragraph, with respect to a  
6 State and year, is the following:

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

13 “(B) The estimated number of the individ-  
14 uals estimated under subparagraph (A) in the  
15 State who would be eligible for medical assist-  
16 ance under the State plan if the State were to  
17 make medical assistance under the State plan  
18 available in accordance with section 1902(k)(1)  
19 to all individuals described in section  
20 1902(a)(10)(i)(VIII), and a detailed description  
21 of the basis for the estimates.

22 “(C) A comprehensive listing of State in-  
23 come eligibility criteria for all mandatory and  
24 optional Medicaid eligibility groups for which  
25 the State plan provides medical assistance

1 (other than with respect to individuals described  
2 in clause (i)(II), (ii)(VI), or (ii)(XXII) of sec-  
3 tion 1902(a)(10)(A)).

4 “(D) The total amount of hospital uncom-  
5 pensated-care costs and a breakdown of the  
6 source of such costs, as well as a breakdown for  
7 rural and non-rural hospitals.

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

13 “(A) for the calendar quarter beginning on  
14 the April 1 occurring during such fiscal year,  
15 0.5 percentage points;

16 “(B) for the calendar quarter beginning on  
17 the July 1 occurring during such fiscal year,  
18 1.0 percentage point; and

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

22 “(5) PAYMENT IN CASE OF REPORTING  
23 STATE.—The expenses incurred by a non-expansion  
24 State, with respect to any calendar quarter with re-  
25 spect 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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