

113TH CONGRESS  
1ST SESSION

# H. R. 912

To amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2013

Ms. HANABUSA (for herself, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. SABLAN, and Ms. GABBARD) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Restoring Medicaid  
3 for Compact of Free Association Migrants Act of 2013”.

4 **SEC. 2. MEDICAID COVERAGE FOR CITIZENS OF FREELY AS-**  
5 **SOCIATED STATES.**

6 (a) IN GENERAL.—Section 402(b)(2) of the Personal  
7 Responsibility and Work Opportunity Reconciliation Act  
8 of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at  
9 the end the following new subparagraph:

10 “(G) MEDICAID EXCEPTION FOR CITIZENS  
11 OF FREELY ASSOCIATED STATES.—With respect  
12 to eligibility for benefits for the designated Fed-  
13 eral program defined in paragraph (3)(C) (re-  
14 lating to the Medicaid program), section 401(a)  
15 and paragraph (1) shall not apply to any indi-  
16 vidual who lawfully resides in 1 of the 50 States  
17 or the District of Columbia in accordance with  
18 the Compacts of Free Association between the  
19 Government of the United States and the Gov-  
20 ernments of the Federated States of Micro-  
21 nesia, the Republic of the Marshall Islands, and  
22 the Republic of Palau and shall not apply, at  
23 the option of the Governor of Puerto Rico, the  
24 Virgin Islands, Guam, the Northern Mariana  
25 Islands, or American Samoa as communicated  
26 to the Secretary of Health and Human Services

1 in writing, to any individual who lawfully re-  
2 sides in the respective territory in accordance  
3 with such Compacts.”.

4 (b) EXCEPTION TO 5-YEAR LIMITED ELIGIBILITY.—  
5 Section 403(d) of such Act (8 U.S.C. 1613(d)) is amend-  
6 ed—

7 (1) in paragraph (1), by striking “or” at the  
8 end;

9 (2) in paragraph (2), by striking the period at  
10 the end and inserting “; or”; and

11 (3) by adding at the end the following new  
12 paragraph:

13 “(3) an individual described in section  
14 402(b)(2)(G), but only with respect to the des-  
15 ignated Federal program defined in section  
16 402(b)(3)(C).”.

17 (c) DEFINITION OF QUALIFIED ALIEN.—Section  
18 431(b) of such Act (8 U.S.C. 1641(b)) is amended—

19 (1) in paragraph (6), by striking “; or” at the  
20 end and inserting a comma;

21 (2) in paragraph (7), by striking the period at  
22 the end and inserting “, or”; and

23 (3) by adding at the end the following new  
24 paragraph:

1           “(8) an individual who lawfully resides in the  
2           United States in accordance with a Compact of Free  
3           Association referred to in section 402(b)(2)(G), but  
4           only with respect to the designated Federal program  
5           defined in section 402(b)(3)(C) (relating to the Med-  
6           icaid program).”.

7           (d) CONFORMING AMENDMENTS.—Section 1108 of  
8           the Social Security Act (42 U.S.C. 1308) is amended—

9                   (1) in subsection (f), in the matter preceding  
10                  paragraph (1), by striking “subsection (g)” and in-  
11                  serting “subsections (g) and (h)”; and

12                  (2) by adding at the end the following:

13                  “(h) The limitations of subsection (g) shall not apply  
14                  with respect to medical assistance provided to an indi-  
15                  vidual described in section 431(b)(8) of the Personal Re-  
16                  sponsibility and Work Opportunity Reconciliation Act of  
17                  1996.”.

18           (e) EFFECTIVE DATE.—The amendments made by  
19           this section shall apply to benefits for items and services  
20           furnished on or after the date of the enactment of this  
21           Act.

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