

112TH CONGRESS  
1ST SESSION

# S. 1504

To restore Medicaid eligibility for citizens of the Freely Associated States.

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IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. AKAKA (for himself, Mr. INOUE, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To restore Medicaid eligibility for citizens of the Freely Associated States.

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 Restoration  
5 for Citizens of Freely Associated States Act of 2011”.

6 **SEC. 2. MEDICAID ELIGIBILITY FOR CITIZENS OF FREELY**  
7 **ASSOCIATED STATES.**

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

1           “(G) MEDICAID EXCEPTION FOR CITIZENS  
2           OF FREELY ASSOCIATED STATES.—With respect  
3           to eligibility for benefits for the program de-  
4           fined in paragraph (3)(C) (relating to med-  
5           icaid), paragraph (1) shall not apply to any in-  
6           dividual who lawfully resides in the United  
7           States (including territories and possessions of  
8           the United States) in accordance with—

9                   “(i) section 141 of the Compact of  
10                   Free Association between the Government  
11                   of the United States and the Government  
12                   of the Federated States of Micronesia, ap-  
13                   proved by Congress in the Compact of  
14                   Free Association Amendments Act of  
15                   2003;

16                   “(ii) section 141 of the Compact of  
17                   Free Association between the Government  
18                   of the United States and the Government  
19                   of the Republic of the Marshall Islands,  
20                   approved by Congress in the Compact of  
21                   Free Association Amendments Act of  
22                   2003; or

23                   “(iii) section 141 of the Compact of  
24                   Free Association between the Government  
25                   of the United States and the Government

1 of Palau, approved by Congress in Public  
2 Law 99–658 (100 Stat. 3672).”.

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

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

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

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

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

16 (c) DEFINITION OF QUALIFIED ALIEN.—Section  
17 431(b) of the Personal Responsibility and Work Oppor-  
18 tunity Reconciliation Act of 1996 (8 U.S.C. 1641(b)) is  
19 amended—

20 (1) in paragraph (6), by striking “or” at the  
21 end;

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

24 (3) by adding at the end the following:

1           “(8) an individual who lawfully resides in the  
2           United States (including territories and possessions  
3           of the United States) in accordance with a Compact  
4           of Free Association referred to in section  
5           402(b)(2)(G).”.

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

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

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

12          “(h) The limitations of subsections (f) and (g) shall  
13 not apply with respect to medical assistance provided to  
14 an individual described in section 431(b)(8) of the Per-  
15 sonal Responsibility and Work Opportunity Reconciliation  
16 Act of 1996.”.

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

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