

116TH CONGRESS
1ST SESSION

S. 2377

To apply the Medicaid asset verification program to all applicants for, and recipients of, medical assistance in all States and territories, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2019

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To apply the Medicaid asset verification program to all applicants for, and recipients of, medical assistance in all States and territories, 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 Account-
5 ability Act”.

1 **SEC. 2. APPLICATION OF MEDICAID ASSET TEST TO ALL AP-**
2 **PLICANTS FOR, AND RECIPIENTS OF, MED-**
3 **ICAL ASSISTANCE IN ALL STATES AND TERRI-**
4 **TORIES.**

5 (a) APPLICATION TO ALL APPLICANTS AND RECIPI-
6 ENTS.—Section 1940(b)(1)(A) of the Social Security Act
7 (42 U.S.C. 1396w(b)(1)(A)) is amended by striking “on
8 the basis of being aged, blind, or disabled”.

9 (b) APPLICATION TO THE TERRITORIES.—Section
10 1940(a) of such Act (42 U.S.C. 1396w(a)) is amended by
11 striking paragraph (4).

12 (c) EFFECTIVE DATE.—The amendments made by
13 subsections (a) and (b) shall take effect on the date of
14 enactment of this Act.

15 (d) PHASE-IN IMPLEMENTATION.—

16 (1) IN GENERAL.—During the 180 day period
17 that begins on the date of enactment of this Act, the
18 Secretary of Health and Human Services shall re-
19 quire States to submit and implement an asset
20 verification program under section 1940 of the So-
21 cial Security Act (as amended by subsections (a) and
22 (b)) in such manner as is designed to result in the
23 application of such programs, in the aggregate for
24 all States, to enrollment of approximately, but not
25 less than, the following percentage of enrollees, in

1 the aggregate for all States, by the end of the fiscal
2 year involved:

3 (A) 12.5 percent by the end of fiscal year
4 2020.

5 (B) 25 percent by the end of fiscal year
6 2021.

7 (C) 50 percent by the end of fiscal year
8 2022.

9 (D) 75 percent by the end of fiscal year
10 2023.

11 (E) 100 percent by the end of fiscal year
12 2024.

13 (2) CONSIDERATION.—In selecting States under
14 paragraph (1), the Secretary of Health and Human
15 Services shall consult with the States involved and
16 take into account the feasibility of implementing
17 asset verification programs in each such State.

18 (3) CONSTRUCTION.—Nothing in paragraph (1)
19 shall be construed as preventing a State from re-
20 questing, and the Secretary of Health and Human
21 Services from approving, the implementation of an
22 asset verification program in advance of the deadline
23 otherwise established under such paragraph.

1 **SEC. 3. MEDICAID RESOURCES ELIGIBILITY REQUIRE-**
2 **MENT.**

3 (a) IN GENERAL.—Section 1902(e)(14)(C) of the So-
4 cial Security Act (42 U.S.C. 1396a(e)(14)(C)) is amended
5 to read as follows—

6 “(C) RESOURCES TEST REQUIREMENT.—

7 “(i) IN GENERAL.—Notwithstanding
8 any other provision of this title, in the case
9 of any individual with respect to whom a
10 determination of income eligibility for med-
11 ical assistance under the State plan or
12 under any waiver of such plan is required,
13 the State shall also apply a resources eligi-
14 bility test that meets the requirement of
15 clause (ii).

16 “(ii) REQUIREMENT.—A State re-
17 sources eligibility test meets the require-
18 ment of this clause if the test precludes eli-
19 gibility for any individual whose resources
20 (as determined under section 1613 for pur-
21 poses of the supplemental security income
22 program) exceed the maximum amount of
23 resources that an individual may have and
24 obtain benefits under that program, or
25 such lower amount of resources as the
26 State shall establish.”.

1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the amendment made by subsection (a) shall take ef-
4 fect on October 1, 2020.

5 (2) RULE FOR CHANGES REQUIRING STATE
6 LEGISLATION.—In the case of a State plan under
7 title XIX of the Social Security Act (42 U.S.C. 1396
8 et seq.) which the Secretary of Health and Human
9 Services determines requires State legislation (other
10 than legislation appropriating funds) in order for the
11 plan to meet the additional requirement imposed by
12 the amendment made by subsection (a), the State
13 plan shall not be regarded as failing to comply with
14 the requirements of such title solely on the basis of
15 its failure to meet this additional requirement before
16 the first day of the first calendar quarter beginning
17 after the close of the first regular session of the
18 State legislature that begins after the date of the en-
19 actment of this Act. For purposes of the previous
20 sentence, in the case of a State that has a 2-year
21 legislative session, each year of such session shall be
22 deemed to be a separate regular session of the State
23 legislature.

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