

118TH CONGRESS
2D SESSION

S. 5547

To amend title XIX of the Social Security Act to require States to verify certain eligibility criteria for individuals enrolled for medical assistance quarterly, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 17 (legislative day, DECEMBER 16), 2024

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

A BILL

To amend title XIX of the Social Security Act to require States to verify certain eligibility criteria for individuals enrolled for medical assistance quarterly, 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 “Leveraging Integrity
5 and Verification of Eligibility for Beneficiaries Act” or the
6 “LIVE Beneficiaries Act”.

1 **SEC. 2. VERIFICATION OF CERTAIN ELIGIBILITY CRITERIA**
 2 **FOR INDIVIDUALS ENROLLED FOR MEDICAL**
 3 **ASSISTANCE.**

4 Section 1902 of the Social Security Act (42 U.S.C.
 5 1396a) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (86), by striking “; and”
 8 and inserting a semicolon;

9 (B) in paragraph (87)(D), by striking the
 10 period at the end and inserting “; and”; and

11 (C) by inserting after paragraph (87)(D)
 12 the following new paragraph:

13 “(88) provide that the State shall comply with
 14 the eligibility verification requirements under sub-
 15 section (uu), except that this paragraph shall apply
 16 only in the case of the 50 States and the District
 17 of Columbia.”; and

18 (2) by adding at the end the following new sub-
 19 section:

20 “(uu) VERIFICATION OF CERTAIN ELIGIBILITY CRI-
 21 TERIA.—

22 “(1) IN GENERAL.—For purposes of subsection
 23 (a)(88), the eligibility verification requirements, be-
 24 ginning January 1, 2026, are as follows:

25 “(A) QUARTERLY SCREENING TO VERIFY
 26 ENROLLEE STATUS.—The State shall, not less

1 frequently than quarterly, review the Death
2 Master File (as such term is defined in section
3 203(d) of the Bipartisan Budget Act of 2013)
4 to determine whether any individuals enrolled
5 for medical assistance under the State plan (or
6 waiver of such plan) are deceased.

7 “(B) DISENROLLMENT UNDER STATE
8 PLAN.—If the State determines, based on infor-
9 mation obtained from the Death Master File,
10 that an individual enrolled for medical assist-
11 ance under the State plan (or waiver of such
12 plan) is deceased, the State shall—

13 “(i) treat such information as factual
14 information confirming the death of a ben-
15 efiary for purposes of section 431.213(a)
16 of title 42, Code of Federal Regulations (or
17 any successor regulation);

18 “(ii) disenroll such individual from the
19 State plan (or waiver of such plan); and

20 “(iii) discontinue any payments for
21 medical assistance under this title made on
22 behalf of such individual (other than pay-
23 ments for any items or services furnished
24 to such individual prior to the death of
25 such individual).

1 “(C) REINSTATEMENT OF COVERAGE IN
2 THE EVENT OF ERROR.—If a State determines
3 that an individual was misidentified as deceased
4 based on information obtained from the Death
5 Master File, and was erroneously disenrolled
6 from medical assistance under the State plan
7 (or waiver of such plan) based on such
8 misidentification, the State shall immediately
9 reenroll such individual under the State plan
10 (or waiver of such plan), retroactive to the date
11 of such disenrollment.

12 “(2) RULE OF CONSTRUCTION.—Nothing under
13 this subsection shall be construed to preclude the
14 ability of a State to use other electronic data sources
15 to timely identify potentially deceased beneficiaries,
16 so long as the State is also in compliance with the
17 requirements of this subsection (and all other re-
18 quirements under this title relating to Medicaid eli-
19 gibility determination and redetermination).”.

○