AMENDMENT TO RULE COMMITTEE PRINT 114-57
OFFERED BY MS. BORDALLO OF GUAM

Page 152, after line 20, insert the following:

TITLE VIII—TREATMENT OF
TERRITORIES UNDER MEDICAID

SEC. 801. ELIMINATION OF GENERAL MEDICAID FUNDING
LIMITATIONS FOR TERRITORIES.

(a) In general.—Section 1108 of the Social Security Act (42 U.S.C. 1308) is amended—

(1) in subsection (f), in the matter before paragraph (1), by striking “Subject” and inserting “For fiscal years before fiscal year 2017, subject”; and

(2) in subsection (g)—

(A) in the heading, by striking “FISCAL YEAR 1998 AND THEREAFTER” and inserting “FISCAL YEARS 1998 THROUGH 2016”; and

(B) in paragraph (2)—

(i) by striking the heading and inserting “FISCAL YEARS 1999 THROUGH 2016”; and

and

(ii) in the matter before subparagraph (A), by striking “fiscal year 1999 and any
fiscal year thereafter” and inserting “each
of fiscal years 1999 through 2016”.

(b) CONFORMING AMENDMENTS.—

(1) Section 1108(g)(5) of the Social Security
Act (42 U.S.C. 1308(g)(5)) is amended by striking
“2019” and inserting “2016”.

(2) Section 1902(j) of the Social Security Act
(42 U.S.C. 1396a(j)) is amended by striking “, the
limitation in section 1108(f),”.

(3) Section 1903(u) of the Social Security Act
(42 U.S.C. 1396b(u)) is amended by striking para-
graph (4).

(4) Section 1323(c)(1) of the Patient Protection
and Affordable Care Act (42 U.S.C. 18043(c)(1)) is
amended by striking “during the period beginning
with 2014 and ending with 2019” and inserting
“until expended”.

(c) EFFECTIVE DATE.—The amendments made by
paragraphs (2) and (3) of subsection (b) shall apply begin-
nning with fiscal year 2017.
SEC. 802. ELIMINATION OF SPECIFIC FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP) LIMITATION FOR TERRITORIES.

Section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by inserting “for fiscal years before fiscal year 2017” before “for Puerto Rico”.

SEC. 803. APPLICATION OF MEDICAID WAIVER AUTHORITY TO TERRITORIES.

(a) In General.—Section 1902(j) of the Social Security Act (42 U.S.C. 1396a(j)) is further amended—

(1) by striking “American Samoa and the Northern Mariana Islands” and inserting “Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa”;

(2) by inserting “, the requirement of subsection (a)(10)(A)(i)(IX) (relating to coverage of adults formerly under foster care),” after “Federal medical assistance percentage”; and

(3) by striking “American Samoa or the Northern Mariana Islands” and inserting “Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, or American Samoa”.

(b) Effective Date.—The amendments made by this section shall apply beginning on October 1, 2016.
SEC. 804. APPLICATION OF 100 PERCENT FEDERAL POVERTY LINE (FPL) LIMITATION TO TERRITORIES.

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

(1) in subsection (a)(10)(A)(i)(VIII), by inserting ``(or, in the case of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa, subject to subsection (j), 100 percent)'' after ``133 percent''; and

(2) in subsection (j), as amended by sections 801(b)(1) and 803—

(A) by striking ``(j) Notwithstanding'' and inserting ``(j)(1) Notwithstanding''; and

(B) by adding at the end the following new paragraph:

``(2)(A) Notwithstanding any other provision of law, Federal financial participation shall not be available to Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, or American Samoa for medical assistance for an individual whose family income exceeds 100 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved, except in the case of individuals qualifying for medical assistance under subsection (a)(10)(A)(i)(IX) and, in the case of the Virgin Is-"
lands, Guam, the Northern Mariana Islands, or
American Samoa, except as authorized under a waiv-
er under this subsection or section 1115.

“(B) In issuing a waiver described in subpara-
graph (A) to the Virgin Islands, Guam, the North-
ern Mariana Islands, or American Samoa, the Sec-
retary shall take into account the eligibility levels es-
tablished under the State plan for such territory be-
fore the date of the enactment of this paragraph.”.

(b) NOT APPLYING 5 PERCENT DISREGARD.—Sub-
paragraph (I) of section 1902(e)(14) of the Social Security
Act (42 U.S.C. 1396b(e)(14)) is amended by inserting “,
if such State is one of the 50 States or the District of
Columbia,” before “shall—”.

(c) EFFECTIVE DATE.—The amendments made by
this section shall apply with respect to eligibility deter-
minations made for periods beginning on or after October
1, 2016.

SEC. 805. PERMITTING MEDICAID DSH ALLOTMENTS FOR
TERRITORIES.

Section 1923(f) of the Social Security Act (42 U.S.C.
1396(f)) is amended—

(1) in paragraph (6), by adding at the end the
following new subparagraph:

“(C) TERRITORIES.—
“(i) Fiscal Year 2017.—For fiscal year 2017, the DSH allotment for each of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa shall bear the same ratio to $150,000,000 as the ratio of the number of individuals who are low-income or uninsured and residing in such territory (as estimated from time to time by the Secretary) bears to the total number of such individuals residing in such territories.

“(ii) Subsequent Fiscal Year.—For each subsequent fiscal year, the DSH allotment for each such territory is subject to an increase in accordance with paragraph (3).”; and

(2) in paragraph (9), by inserting before the period at the end the following: “, and, beginning with fiscal year 2017, includes Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa”.

□