

AMENDMENT TO RULE COMMITTEE PRINT 114-57

OFFERED BY MS. BORDALLO OF GUAM

Page 152, after line 20, insert the following:

1 **TITLE VIII—TREATMENT OF**
2 **TERRITORIES UNDER MEDICAID**

3 **SEC. 801. ELIMINATION OF GENERAL MEDICAID FUNDING**
4 **LIMITATIONS FOR TERRITORIES.**

5 (a) IN GENERAL.—Section 1108 of the Social Secu-
6 rity Act (42 U.S.C. 1308) is amended—

7 (1) in subsection (f), in the matter before para-
8 graph (1), by striking “Subject” and inserting “For
9 fiscal years before fiscal year 2017, subject”; and

10 (2) in subsection (g)—

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

14 (B) in paragraph (2)—

15 (i) by striking the heading and insert-
16 ing “FISCAL YEARS 1999 THROUGH 2016”;
17 and

18 (ii) in the matter before subparagraph
19 (A), by striking “fiscal year 1999 and any

1 fiscal year thereafter” and inserting “each
2 of fiscal years 1999 through 2016”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 1108(g)(5) of the Social Security
5 Act (42 U.S.C. 1308(g)(5)) is amended by striking
6 “2019” and inserting “2016”.

7 (2) Section 1902(j) of the Social Security Act
8 (42 U.S.C. 1396a(j)) is amended by striking “, the
9 limitation in section 1108(f),”.

10 (3) Section 1903(u) of the Social Security Act
11 (42 U.S.C. 1396b(u)) is amended by striking para-
12 graph (4).

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

18 (c) EFFECTIVE DATE.—The amendments made by
19 paragraphs (2) and (3) of subsection (b) shall apply begin-
20 ning with fiscal year 2017.

1 **SEC. 802. ELIMINATION OF SPECIFIC FEDERAL MEDICAL**
2 **ASSISTANCE PERCENTAGE (FMAP) LIMITA-**
3 **TION FOR TERRITORIES.**

4 Section 1905(b) of the Social Security Act (42 U.S.C.
5 1396d(b)) is amended by inserting “for fiscal years before
6 fiscal year 2017” before “for Puerto Rico”.

7 **SEC. 803. APPLICATION OF MEDICAID WAIVER AUTHORITY**
8 **TO TERRITORIES.**

9 (a) IN GENERAL.—Section 1902(j) of the Social Se-
10 curity Act (42 U.S.C. 1396a(j)) is further amended—

11 (1) by striking “American Samoa and the
12 Northern Mariana Islands” and inserting “Puerto
13 Rico, the Virgin Islands, Guam, the Northern Mar-
14 iana Islands, and American Samoa”;

15 (2) by inserting “, the requirement of sub-
16 section (a)(10)(A)(i)(IX) (relating to coverage of
17 adults formerly under foster care),” after “Federal
18 medical assistance percentage”; and

19 (3) by striking “American Samoa or the North-
20 ern Mariana Islands” and inserting “Puerto Rico,
21 the Virgin Islands, Guam, the Northern Mariana Is-
22 lands, or American Samoa”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall apply beginning on October 1, 2016.

1 **SEC. 804. APPLICATION OF 100 PERCENT FEDERAL POV-**
2 **ERTY LINE (FPL) LIMITATION TO TERRI-**
3 **TORIES.**

4 (a) IN GENERAL.—Section 1902 of the Social Secu-
5 rity Act (42 U.S.C. 1396a) is amended—

6 (1) in subsection (a)(10)(A)(i)(VIII), by insert-
7 ing “(or, in the case of Puerto Rico, the Virgin Is-
8 lands, Guam, the Northern Mariana Islands, and
9 American Samoa, subject to subsection (j), 100 per-
10 cent)” after “133 percent”; and

11 (2) in subsection (j), as amended by sections
12 801(b)(1) and 803—

13 (A) by striking “(j) Notwithstanding” and
14 inserting “(j)(1) Notwithstanding”; and

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

17 “(2)(A) Notwithstanding any other provision of
18 law, Federal financial participation shall not be
19 available to Puerto Rico, the Virgin Islands, Guam,
20 the Northern Mariana Islands, or American Samoa
21 for medical assistance for an individual whose family
22 income exceeds 100 percent of the poverty line (as
23 defined in section 2110(c)(5)) applicable to a family
24 of the size involved, except in the case of individuals
25 qualifying for medical assistance under subsection
26 (a)(10)(A)(i)(IX) and, in the case of the Virgin Is-

1 lands, Guam, the Northern Mariana Islands, or
2 American Samoa, except as authorized under a waiver
3 under this subsection or section 1115.

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

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

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply with respect to eligibility deter-
17 minations made for periods beginning on or after October
18 1, 2016.

19 **SEC. 805. PERMITTING MEDICAID DSH ALLOTMENTS FOR**
20 **TERRITORIES.**

21 Section 1923(f) of the Social Security Act (42 U.S.C.
22 1396(f)) is amended—

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

25 “(C) TERRITORIES.—

1 “(i) FISCAL YEAR 2017.—For fiscal
2 year 2017, the DSH allotment for each of
3 Puerto Rico, the Virgin Islands, Guam, the
4 Northern Mariana Islands, and American
5 Samoa shall bear the same ratio to
6 \$150,000,000 as the ratio of the number
7 of individuals who are low-income or unin-
8 sured and residing in such territory (as es-
9 timated from time to time by the Sec-
10 retary) bears to the total number of such
11 individuals residing in such territories.

12 “(ii) SUBSEQUENT FISCAL YEAR.—
13 For each subsequent fiscal year, the DSH
14 allotment for each such territory is subject
15 to an increase in accordance with para-
16 graph (3).”; and

17 (2) in paragraph (9), by inserting before the pe-
18 riod at the end the following: “, and, beginning with
19 fiscal year 2017, includes Puerto Rico, the Virgin Is-
20 lands, Guam, the Northern Mariana Islands, and
21 American Samoa”.

