

AMENDMENT TO H.R. 3746

OFFERED BY MR. BRECHEEN OF OKLAHOMA

Add at the end of division C the following new title:

1 **TITLE IV—COMMUNITY ENGAGE-**
2 **MENT REQUIREMENT FOR AP-**
3 **PLICABLE INDIVIDUALS**

4 **SEC. 421. COMMUNITY ENGAGEMENT REQUIREMENT FOR**
5 **APPLICABLE INDIVIDUALS.**

6 (a) IN GENERAL.—Section 1903(i) of the Social Se-
7 curity Act (42 U.S.C. 1396b(i)) is amended—

8 (1) in paragraph (26), by striking “; or” and
9 inserting a semicolon;

10 (2) in paragraph (27), by striking the period at
11 the end and inserting “; or”;

12 (3) by inserting after paragraph (27) the fol-
13 lowing new paragraph:

14 “(28) with respect to any amount expended for
15 medical assistance for an applicable individual for a
16 month in a calendar year if such individual did not
17 meet the community engagement requirement under
18 section 1905(jj) for 3 or more preceding months
19 during such calendar year while such individual was

1 an applicable individual and was enrolled in a State
2 plan (or waiver of such plan) under this title.”; and

3 (4) in the flush left matter at the end, by strik-
4 ing “and (18),” and inserting “(18), and (28)”.

5 (b) COMMUNITY ENGAGEMENT REQUIREMENT.—

6 Section 1905 of the Social Security Act (42 U.S.C. 1396d)
7 is amended by adding at the end the following new sub-
8 section:

9 “(jj) COMMUNITY ENGAGEMENT REQUIREMENT FOR
10 APPLICABLE INDIVIDUALS.—

11 “(1) COMMUNITY ENGAGEMENT REQUIREMENT
12 DESCRIBED.—For purposes of section 1903(i)(28),
13 the community engagement requirement described in
14 this subsection with respect to an applicable indi-
15 vidual and a month is that such individual satisfies
16 at least one of the following with respect to such
17 month:

18 “(A) The individual works 80 hours or
19 more per month, or has a monthly income that
20 is at least equal to the Federal minimum wage
21 under section 6 of the Fair Labor Standards
22 Act of 1938, multiplied by 80 hours.

23 “(B) The individual completes 80 hours or
24 more of community service per month.

1 “(C) The individual participates in a work
2 program for at least 80 hours per month.

3 “(D) The individual participates in a com-
4 bination of work, including community service,
5 and a work program for a total of at least 80
6 hours per month.

7 “(2) VERIFICATION.—For purposes of verifying
8 the compliance of an applicable individual with the
9 community engagement requirement under para-
10 graph (1), a State Medicaid agency shall, whenever
11 possible, prioritize the utilization of existing data-
12 bases or other verification measures, including the
13 National Change of Address Database Maintained
14 by the United States Postal Service, State health
15 and human services agencies, payroll databases, or
16 other reliable sources of information, prior to seek-
17 ing additional verification from such individual.

18 “(3) DEFINITIONS.—In this subsection:

19 “(A) APPLICABLE INDIVIDUAL.—The term
20 ‘applicable individual’ means any individual who
21 is not—

22 “(i) under 19 years of age or age 56
23 or older;

1 “(ii) physically or mentally unfit for
2 employment, as determined by a physician
3 or other medical professional;

4 “(iii) pregnant;

5 “(iv) the parent or caretaker of a de-
6 pendent child;

7 “(v) the parent or caretaker of an in-
8 capacitated person;

9 “(vi) complying with work require-
10 ments under a different program under
11 Federal law;

12 “(vii) participating in a drug or alco-
13 hol treatment and rehabilitation program
14 (as defined in section 3(h) of the Food and
15 Nutrition Act of 2008); or

16 “(viii) enrolled in an educational pro-
17 gram at least half time.

18 “(B) EDUCATIONAL PROGRAM.—The term
19 ‘educational program’ means—

20 “(i) an institution of higher education
21 (as defined in section 101(a) of the Higher
22 Education Act of 1965);

23 “(ii) a program of career and tech-
24 nical education (as defined in section 3 of

1 the Carl D. Perkins Career and Technical
2 Education Act of 2006); or

3 “(iii) any other educational program
4 approved by the Secretary.

5 “(C) STATE MEDICAID AGENCY.—The
6 term ‘State Medicaid agency’ means the State
7 agency responsible for administering the State
8 Medicaid plan.

9 “(D) WORK PROGRAM.—The term ‘work
10 program’ has the meaning given such term in
11 section 6(o)(1) of the Food and Nutrition Act
12 of 2008.”.

13 (c) STATE OPTION TO DISENROLL CERTAIN INDI-
14 VIDUALS.—Section 1902(a) of the Social Security Act (42
15 U.S.C. 1396a(a)) is amended by adding at the end of the
16 flush left text following paragraph (87) the following:
17 “Notwithstanding any of the preceding provisions of this
18 subsection, at the option of a State, such State may elect
19 to disenroll an applicable individual for a month if, with
20 respect to medical assistance furnished to such individual
21 for such month, no Federal financial participation would
22 be available, pursuant to section 1903(i)(28).”.

