

AMENDMENT TO THE AMERICAN RESCUE PLAN
ACT OF 2021
OFFERED BY MR. BURGESS OF TEXAS

Amend section 3102 to read as follows:

1 **SEC. 3102. MODIFICATIONS TO CERTAIN COVERAGE UNDER**
2 **MEDICAID FOR PREGNANT AND**
3 **POSTPARTUM WOMEN.**

4 (a) STATE OPTION.—Section 1902(e) of the Social
5 Security Act (42 U.S.C. 1396a(e)) is amended by adding
6 at the end the following new paragraph:

7 “(16) EXTENDING CERTAIN COVERAGE FOR
8 PREGNANT AND POSTPARTUM WOMEN.—

9 “(A) IN GENERAL.—At the option of the
10 State, the State plan (or waiver of such State
11 plan) may provide that an individual who, while
12 pregnant, is eligible for and has received med-
13 ical assistance under the State plan approved
14 under this title (or a waiver of such plan) (in-
15 cluding during a period of retroactive eligibility
16 under subsection (a)(34)) shall, in addition to
17 remaining eligible under paragraph (5) for all
18 pregnancy-related and postpartum medical as-
19 sistance available under the State plan (or

1 waiver) through the last day of the month in
2 which the 60-day period (beginning on the last
3 day of her pregnancy) ends, remain eligible
4 under the State plan (or waiver) for medical as-
5 sistance for the period beginning on the first
6 day occurring after the end of such 60-day pe-
7 riod and ending on the last day of the month
8 in which the 1-year period (beginning on the
9 last day of her pregnancy) ends.

10 “(B) FULL BENEFITS DURING PREGNANCY
11 AND THROUGHOUT THE 1-YEAR POSTPARTUM
12 PERIOD.—The medical assistance provided for a
13 pregnant or postpartum individual by a State
14 making an election under this paragraph, with-
15 out regard to the basis on which the individual
16 is eligible for medical assistance under the
17 State plan (or waiver), shall—

18 “(i) include all items and services cov-
19 ered under the State plan (or waiver) that
20 are not less in amount, duration, or scope,
21 or are determined by the Secretary to be
22 substantially equivalent, to the medical as-
23 sistance available for an individual de-
24 scribed in subsection (a)(10)(A)(i); and

1 “(ii) be provided for the individual
2 while pregnant and during the 1-year pe-
3 riod that begins on the last day of the indi-
4 vidual’s pregnancy and ends on the last
5 day of the month in which such 1-year pe-
6 riod ends.”.

7 (b) **EFFECTIVE DATE.**—The amendments made by
8 subsection (a), shall apply with respect to State elections
9 made under paragraph (16) of section 1902(e) of the So-
10 cial Security Act (42 U.S.C. 1396a(e)), as added by sub-
11 section (a), on or after the 1st day of the 1st fiscal year
12 quarter that begins 1 year after the date of the enactment
13 of this Act.

14 (c) **PROGRAM INTEGRITY.**—Nothing in this sub-
15 section or the amendments made by this subsection shall
16 prevent a State from applying all relevant program integ-
17 rity provisions of law to the services and populations cov-
18 ered in this subsection and the amendments made by this
19 subsection.

