

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 116-41**  
**OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO**  
**RICO**

Add at the end of the bill the following new section  
(and conform the table of contents accordingly):

1 **SEC. 812. EQUAL TREATMENT OF RESIDENTS OF TERRI-**  
2 **TORIES IN PREMIUM AND COST-SHARING**  
3 **SUBSIDIES UNDER MEDICARE PRESCRIPTION**  
4 **DRUG PROGRAM.**

5 (a) **MEDICARE ASSISTANCE.**—Section 1860D-  
6 14(a)(3) of the Social Security Act (42 U.S.C. 1395w-  
7 114(a)(3)), as amended by sections 301, 504, 505, and  
8 506, is further amended—

9 (1) in subparagraph (A), in the matter pre-  
10 ceding clause (i), by striking “subject to subpara-  
11 graph (F),”;

12 (2) in subparagraph (B)(v), in the matter pre-  
13 ceding subclause (I), by striking “Subject to sub-  
14 paragraph (F), the Secretary” and inserting “The  
15 Secretary”;

16 (3) in subparagraph (C), by adding at the end  
17 the following new sentence: “In the case of an indi-

1       vidual who is not a resident of the 50 States or the  
2       District of Columbia, the poverty line (as such term  
3       is defined in clause (ii)) that shall apply to such in-  
4       dividual shall be the poverty line for the 48 contig-  
5       uous States and the District of Columbia.”; and

6               (4) by striking subparagraph (F).

7       (b) MEDICAID ASSISTANCE.—Section 1935 of the So-  
8       cial Security Act (42 U.S.C. 1396u–5), as amended by  
9       section 504, is further amended—

10              (1) in subsection (c)(1)(A)—

11                      (A) by inserting “(and each other State for  
12                      each month beginning with January 2020)”  
13                      after “January 2006”; and

14                      (B) in clause (i), by inserting “or (2)(B)  
15                      (as the case may be)” after “paragraph  
16                      (2)(A)”;

17              (2) in subsection (c)(2)—

18                      (A) in subparagraph (A)—

19                              (i) by amending the heading to read  
20                              as follows: “COMPUTATION FOR 50 STATES  
21                              AND THE DISTRICT OF COLUMBIA”; and

22                              (ii) by striking “a State described in  
23                              paragraph (1)” and inserting “one of the  
24                              50 States or the District of Columbia”;

25                      (B) in subparagraph (B)—

1 (i) by striking “subparagraph (A)”  
2 and inserting “subparagraph (A) or (B)  
3 (as the case may be)”;

4 (ii) by redesignating such subpara-  
5 graph as subparagraph (C); and

6 (C) by inserting after subparagraph (A)  
7 the following new subparagraph:

8 “(B) COMPUTATION FOR TERRITORIES.—  
9 The amount computed under this paragraph for  
10 a State not described in subparagraph (A) and  
11 for a month in a year (beginning with 2020) is  
12 equal to—

13 “(i)  $\frac{1}{12}$  of the product of—

14 “(I) the amount determined  
15 under subsection (e) for the State for  
16 2019; and

17 “(II) 100 percent minus the  
18 highest possible Federal medical as-  
19 sistance percentage that may be ap-  
20 plied to any of the 50 States for fiscal  
21 year 2018 under section 1905(b)(1);  
22 and

23 “(ii) increased for each year (begin-  
24 ning with 2019 up to and including the  
25 year involved) by the applicable growth

1 factor specified in paragraph (4) for that  
2 year.”; and

3 (3) in subsection (e)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (A), by striking  
6 “of such State; and” and inserting “of  
7 such State for years before 2020;”;

8 (ii) in subparagraph (B)—

9 (I) by inserting “for periods be-  
10 fore January 1, 2020” after “(B)”;  
11 and

12 (II) by striking the period at the  
13 end and inserting “; and”; and

14 (iii) by adding at the end the fol-  
15 lowing new subparagraph:

16 “(C) for the first 3 quarters of fiscal year  
17 2020 and for each subsequent fiscal year, the  
18 amount otherwise applied under section 1108(f)  
19 for the State shall be increased by the amount  
20 specified in paragraph (4)(A) for such period or  
21 fiscal year.”;

22 (B) in paragraph (2), by striking “The  
23 Secretary” and inserting “For periods before  
24 January 2020, the Secretary”;

25 (C) in paragraph (3)—

1 (i) in the heading, by inserting “BE-  
2 FORE SECOND QUARTER OF FISCAL YEAR  
3 2020” after “INCREASED AMOUNT”;

4 (ii) in subparagraph (A)—

5 (I) in the matter before clause  
6 (i), by inserting “or other fiscal pe-  
7 riod” after “for a year”; and

8 (II) in clause (i), by inserting  
9 “for such year or period” after “sub-  
10 paragraph (B)”;

11 (iii) in subparagraph (B)—

12 (I) in clause (ii), by striking “or”  
13 at the end;

14 (II) in clause (iii), by striking “a  
15 subsequent year” and inserting “a  
16 subsequent fiscal year (before the sec-  
17 ond quarter of fiscal year 2020)”;

18 (III) in clause (iii), by striking  
19 the period at the end and inserting “;  
20 and”;

21 (IV) by adding at the end the fol-  
22 lowing:

23 “(iv) for the first quarter of fiscal  
24 year 2020, is equal to 25 percent of the  
25 aggregate amount specified in this sub-

1 paragraph for the previous fiscal year in-  
2 creased by the annual percentage increase  
3 specified in section 1860D–2(b)(6) for the  
4 year involved.”;

5 (D) by striking paragraph (4); and

6 (E) by inserting after paragraph (3) the  
7 following new paragraph:

8 “(4) INCREASED AMOUNT BEGINNING WITH  
9 SECOND QUARTER OF FISCAL YEAR 2020.—

10 “(A) IN GENERAL.—The amount specified  
11 in this paragraph for a State for the last 3  
12 quarters of fiscal year 2020 or for a subsequent  
13 fiscal year is equal to the product of—

14 “(i) the aggregate amount specified in  
15 subparagraph (B) for such period or fiscal  
16 year; and

17 “(ii) the ratio (as estimated by the  
18 Secretary) of—

19 “(I) the number of individuals  
20 who are entitled to benefits under  
21 part A or enrolled under part B and  
22 who reside in the State (as deter-  
23 mined by the Secretary based on the  
24 most recent available data before the  
25 beginning of the period or year); to

1                   “(II) the sum of such numbers  
2                   for all States that are subject to this  
3                   subsection.

4                   “(B) AGGREGATE AMOUNT.—The aggre-  
5                   gate amount specified in this subparagraph  
6                   for—

7                   “(i) the last 3 quarters of fiscal year  
8                   2020, is equal to 3 times the amount spec-  
9                   ified in paragraph (3)(B)(iv);

10                  “(ii) fiscal year 2021, is equal to 4  
11                  times the amount specified in paragraph  
12                  (3)(B)(iv) increased by the same annual  
13                  percentage increase as is applied to in-  
14                  creases in the amounts applied for the fis-  
15                  cal year and State under section 1108(f);  
16                  or

17                  “(iii) a subsequent fiscal year, is equal  
18                  to the aggregate amount specified in this  
19                  subparagraph for the previous fiscal year  
20                  increased by the same annual percentage  
21                  increase as is applied for the fiscal year  
22                  and State under section 1108(f).”.

23                  (c) CONFORMING AMENDMENT.—Section 1108(f) of  
24                  the Social Security Act (42 U.S.C. 1308(f)) is amended  
25                  by striking “1935(e)(1)(B)” and inserting “1935(e)(1)”.

1           (d) EFFECTIVE DATES.—The amendments made by  
2 subsection (a) shall take effect on January 1, 2020, and  
3 the amendments made by subsections (b) and (c) shall  
4 take effect on the date of the enactment of this Act.

