

AMENDMENT
OFFERED BY MRS. RADEWAGEN OF AMERICAN
SAMOA

In section 1903A(a)(1) of the Social Security Act, as proposed to be inserted by section 121, in the second sentence, strike “only the 50 States and the District of Columbia” and insert “the 50 States, the District of Columbia, and each territory or possession of the United States”.

In section 1903A(a) of the Social Security Act, as proposed to be inserted by section 121, add at the end the following new paragraph:

1 “(5) APPLICATION TO TERRITORIES.—The Sec-
2 retary shall, in applying this section to a territory or
3 possession of the United States for a fiscal year, de-
4 termine the amount of target total medical assist-
5 ance expenditures (as defined in subsection (c)) for
6 each such territory or possession for such fiscal year
7 such that the amount of such target total medical
8 assistance expenditures—

9 “(A) is equitable, as compared to one of
10 the 50 States or the District of Columbia; and

1 “(B) is computed as if subsections (f) and
2 (g) of section 1108 did not apply.”.

At the end of subtitle C of title I, add the following
new section (and make such conforming changes as may
be necessary):

3 **SEC. 122. EQUITABLE TREATMENT OF THE TERRITORIES**
4 **UNDER MEDICAID.**

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 “subsection (g)” and inserting
9 “subsections (g) and (h)”;

10 (2) in subsection (g)(2), in the matter before
11 subparagraph (A), by inserting “and subsection (h)”
12 after “paragraphs (3) and (5)”; and

13 (3) by adding at the end the following new sub-
14 section:

15 “(h) SUNSET OF MEDICAID FUNDING LIMITATIONS
16 FOR PUERTO RICO, THE VIRGIN ISLANDS OF THE
17 UNITED STATES, GUAM, THE NORTHERN MARIANA IS-
18 LANDS, AND AMERICAN SAMOA.—Subsections (f) and (g)
19 shall not apply to Puerto Rico, the Virgin Islands of the
20 United States, Guam, the Northern Mariana Islands, and
21 American Samoa beginning with fiscal year 2018.”.

1 (b) ELIMINATION OF SPECIFIC FEDERAL MEDICAL
2 ASSISTANCE PERCENTAGE (FMAP) LIMITATION FOR
3 TERRITORIES.—Section 1905(b) of the Social Security
4 Act (42 U.S.C. 1396d(b)) is amended, in clause (2), by
5 inserting “for fiscal years before fiscal year 2018” after
6 “American Samoa”.

7 (c) CONFORMING AMENDMENTS.—

8 (1) *【Likely subject to point of order pursuant to*
9 *Byrd rule.】* Section 1902(j) of the Social Security
10 Act (42 U.S.C. 1396a(j)) is amended by striking “,
11 the limitation in section 1108(f),”.

12 (2) *【Likely subject to point of order pursuant to*
13 *Byrd rule.】* Section 1903(u) of the Social Security
14 Act (42 U.S.C. 1396b(u)) is amended by striking
15 paragraph (4).

16 (3) *【Likely subject to point of order pursuant to*
17 *Byrd rule.】* Section 1323(c)(1) of the Patient Pro-
18 tection and Affordable Care Act (42 U.S.C.
19 18043(c)(1)) is amended by striking “2019” and in-
20 sserting “2017”.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall apply beginning with fiscal year 2018.

In section 2201 of the Social Security Act, as pro-
posed to be added by section 132, strike “and the Dis-
trict of Columbia” and insert “, the District of Columbia,

and the United States territories of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands”.

In section 36B of the Internal Revenue Code of 1986, as proposed to be inserted, add at the end the following:

1 “(h) APPLICATION TO UNITED STATES TERRI-
2 TORIES.—Individuals in the United States territories of
3 American Samoa, Guam, the Northern Mariana Islands,
4 Puerto Rico, and the United States Virgin Islands shall
5 be eligible for the same Federally-supported tax credits,
6 against income taxes paid to their respective territorial
7 governments, as are provided to individuals in the States
8 and the District of Columbia.”.

