

115TH CONGRESS
1ST SESSION

H. R. 1277

To permit indefinite extensions for certain previously extended Medicaid managed care waivers.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2017

Mrs. BLACKBURN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To permit indefinite extensions for certain previously extended Medicaid managed care waivers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Medicaid Waiver
5 Flexibility Act of 2017”.

6 **SEC. 2. GRANDFATHERING CERTAIN MEDICAID MANAGED**
7 **CARE WAIVERS.**

8 (a) IN GENERAL.—In the case of a State with a
9 grandfathered managed care waiver, the State may con-
10 tinue to implement the managed care delivery system that

1 is the subject of such waiver in perpetuity under the State
 2 plan under title XIX of the Social Security Act (or a waiv-
 3 er of such plan) without submitting an application to the
 4 Secretary for a new waiver to implement such managed
 5 care delivery system, so long as the terms and conditions
 6 of the waiver involved are not modified. If the State seeks
 7 to modify the terms or conditions of such a waiver, the
 8 State shall submit to the Secretary an application for ap-
 9 proval of a new waiver under such modified terms and con-
 10 ditions.

11 (b) STATE WITH A GRANDFATHERED MANAGED
 12 CARE WAIVER DEFINED.—In this section, the term
 13 “State with a grandfathered managed care waiver” means
 14 a State—

15 (1) with a waiver approved by the Secretary of
 16 Health and Human Services under section 1915(b)
 17 of the Social Security Act (42 U.S.C. 1396u–2(b))
 18 with respect to the authority of the State to imple-
 19 ment a managed care delivery system under the
 20 State plan under title XIX of the Social Security Act
 21 (or under a waiver of such plan under section 1115
 22 of such Act) that is in effect as of January 1, 2017;
 23 and

24 (2) the renewal of such waiver was approved no
 25 less than two times.

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed, with respect to a waiver approved
3 by the Secretary of Health and Human Services under
4 section 1115 of the Social Security Act (42 U.S.C. 1315),
5 to allow for the continued application in perpetuity of such
6 waiver with respect to any aspect of the implementation
7 of the Medicaid program under title XIX of such Act in
8 such State other than the authority of the State to imple-
9 ment a managed care delivery system in such State.

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