

115TH CONGRESS
2D SESSION

H. J. RES. 125

Making an extension of continuing appropriations for fiscal year 2018, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2018

Mr. FRELINGHUYSEN submitted the following joint resolution; which was referred to the Committee on Appropriations, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JOINT RESOLUTION

Making an extension of continuing appropriations for fiscal
year 2018, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **DIVISION B—EXTENSION OF CONTINUING**
4 **APPROPRIATIONS ACT, 2018**

5 SEC. 2001. The Continuing Appropriations Act, 2018
6 (division D of Public Law 115–56) is amended—

7 (1) by striking the date specified in section
8 106(3) and inserting “February 16, 2018”; and

9 (2) by adding after section 147 the following:

1 “SEC. 148. Funds appropriated by the Department
2 of Defense Missile Defeat and Defense Enhancements Ap-
3 propriations Act, 2018 (division B of Public Law 115–
4 96) may be obligated and expended notwithstanding sec-
5 tion 504(a)(1) of the National Security Act of 1947 (50
6 U.S.C. 3094(a)(1)).

7 “SEC. 149. Amounts made available by section 101
8 for ‘Department of Agriculture—Food and Nutrition
9 Service—Child Nutrition Programs’ to carry out section
10 749(g) of the Agriculture Appropriations Act of 2010
11 (Public Law 111–80) may be apportioned up to the rate
12 for operations necessary to ensure that the program can
13 be fully operational by May 2018.

14 “SEC. 150. Amounts made available by section 101
15 for ‘National Aeronautics and Space Administration—Ex-
16 ploration’ may be apportioned up to the rate for oper-
17 ations necessary to maintain the planned launch capability
18 schedules for the Space Launch System launch vehicle,
19 Exploration Ground Systems, and Orion Multi-Purpose
20 Crew Vehicle programs.

21 “SEC. 151. Amounts made available by section 101
22 for ‘Department of Energy—Energy Programs—Office of
23 the Inspector General’ may be apportioned up to the rate
24 for operations necessary to sustain staffing levels achieved
25 on June 30, 2017.

1 “SEC. 152. Amounts made available by section 101
2 for ‘Small Business Administration—Business Loans Pro-
3 gram Account’ may be apportioned up to the rate for oper-
4 ations necessary to accommodate increased demand for
5 commitments for general business loans authorized under
6 section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

7 “SEC. 153. For 2018, the Secretary of Housing and
8 Urban Development may make temporary adjustments to
9 the Section 8 housing choice voucher annual renewal fund-
10 ing allocations and administrative fee eligibility determina-
11 tions for public housing agencies in an area for which the
12 President declared a disaster in 2017 or 2018 under title
13 IV of the Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5170 et seq.), to avoid
15 significant adverse funding impacts that would otherwise
16 result from the disaster and that would otherwise prevent
17 a public housing agency from leasing up to its authorized
18 level of units under contract (but not to exceed such level),
19 upon request by and in consultation with a public housing
20 agency and supported by documentation as required by
21 the Secretary that demonstrates the need for the adjust-
22 ment.”.

23 SEC. 2002. The Further Additional Continuing Ap-
24 propriations Act, 2018 (division A of Public Law 115–96)
25 is amended by striking section 1002.

1 This division may be cited as the “Extension of Con-
 2 tinuing Appropriations Act, 2018”.

3 **DIVISION C—HEALTHY KIDS ACT**

4 **SEC. 3001. SHORT TITLE.**

5 This division may be cited as the “Helping Ensure
 6 Access for Little Ones, Toddlers, and Hopeful Youth by
 7 Keeping Insurance Delivery Stable Act” or the
 8 “HEALTHY KIDS Act”.

9 **SEC. 3002. SIX-YEAR FUNDING EXTENSION OF THE CHIL-** 10 **DREN’S HEALTH INSURANCE PROGRAM.**

11 (a) FUNDING.—

12 (1) IN GENERAL.—Section 2104(a) of the So-
 13 cial Security Act (42 U.S.C. 1397dd(a)), as amend-
 14 ed by section 3201(a) of the CHIP and Public
 15 Health Funding Extension Act (division C of Public
 16 Law 115–96), is amended—

17 (A) in paragraph (20)(B), by striking “;
 18 and” and inserting a semicolon; and

19 (B) by striking paragraph (21) and insert-
 20 ing the following new paragraphs:

21 “(21) for fiscal year 2018, \$21,500,000,000;

22 “(22) for fiscal year 2019, \$22,600,000,000;

23 “(23) for fiscal year 2020, \$23,700,000,000;

24 “(24) for fiscal year 2021, \$24,800,000,000;

1 “(25) for fiscal year 2022, \$25,900,000,000;
2 and

3 “(26) for fiscal year 2023, for purposes of mak-
4 ing two semi-annual allotments—

5 “(A) \$2,850,000,000 for the period begin-
6 ning on October 1, 2022, and ending on March
7 31, 2023; and

8 “(B) \$2,850,000,000 for the period begin-
9 ning on April 1, 2023, and ending on Sep-
10 tember 30, 2023.”.

11 (2) PREVENTION OF DUPLICATE APPROPRIA-
12 TIONS FOR FISCAL YEAR 2018.—Notwithstanding any
13 other provision of law, insofar as funds have been
14 appropriated under subsection (a)(21) of section
15 2104 of the Social Security Act (42 U.S.C. 1397dd),
16 as such subsection is in effect on the day before the
17 date of the enactment of this Act, to provide allot-
18 ments to States under the State Children’s Health
19 Insurance Program established under title XXI of
20 the Social Security Act (42 U.S.C. 1397aa et seq.)
21 (whether implemented under title XIX, XXI, or
22 both, of the Social Security Act) for fiscal year
23 2018—

24 (A) any amounts that are so appropriated
25 that are not so allotted and obligated before the

1 date of the enactment of this Act, are re-
 2 scinded; and

3 (B) any amount provided for CHIP allot-
 4 ments to a State under this section (and the
 5 amendments made by this section) for such fis-
 6 cal year shall be reduced by the amount of such
 7 appropriations so allotted and obligated before
 8 such date.

9 (b) ALLOTMENTS.—

10 (1) IN GENERAL.—Section 2104(m) of the So-
 11 cial Security Act (42 U.S.C. 1397dd(m)), as amend-
 12 ed by section 3201(b) of the CHIP and Public
 13 Health Funding Extension Act (division C of Public
 14 Law 115–96), is amended—

15 (A) in paragraph (2)(B)—

16 (i) in the matter preceding clause (i),
 17 by striking “(19)” and inserting “(25)”;

18 (ii) in clause (i), by striking “and
 19 2017” and inserting “, 2017, and 2023”;
 20 and

21 (iii) in clause (ii)—

22 (I) in the matter preceding sub-
 23 clause (I), by striking “and paragraph
 24 (10)”;

1 (II) in subclause (I), by inserting
 2 “(or, in the case of fiscal year 2018,
 3 under paragraph (4))” after “clause
 4 (i)”;

5 (B) in paragraph (5), by striking “2018”
 6 and inserting “2023”;

7 (C) in paragraph (7)—

8 (i) in subparagraph (A), by striking
 9 “2017” and inserting “2023”;

10 (ii) in subparagraph (B), in the mat-
 11 ter preceding clause (i), by inserting “(or,
 12 in the case of fiscal year 2018, by not later
 13 than the date that is 60 days after the
 14 date of the enactment of the HEALTHY
 15 KIDS Act)” after “before the August 31
 16 preceding the beginning of the fiscal year”;
 17 and

18 (iii) in the matter following subpara-
 19 graph (B), by striking “or fiscal year
 20 2016” and inserting “fiscal year 2016, fis-
 21 cal year 2018, fiscal year 2020, or fiscal
 22 year 2022”;

23 (D) in paragraph (9), by striking “2018”
 24 and inserting “2023”; and

1 (E) by amending paragraph (10) to read
 2 as follows:

3 “(10) FOR FISCAL YEAR 2023.—

4 “(A) FIRST HALF.—Subject to paragraphs
 5 (5) and (7), from the amount made available
 6 under subparagraph (A) of paragraph (26) of
 7 subsection (a) for the semi-annual period de-
 8 scribed in such subparagraph, increased by the
 9 amount of the appropriation for such period
 10 under section 3002(b)(2) of the HEALTHY
 11 KIDS Act, the Secretary shall compute a State
 12 allotment for each State (including the District
 13 of Columbia and each commonwealth and terri-
 14 tory) for such semi-annual period in an amount
 15 equal to the first half ratio (described in sub-
 16 paragraph (D)) of the amount described in sub-
 17 paragraph (C).

18 “(B) SECOND HALF.—Subject to para-
 19 graphs (5) and (7), from the amount made
 20 available under subparagraph (B) of paragraph
 21 (26) of subsection (a) for the semi-annual pe-
 22 riod described in such subparagraph, the Sec-
 23 retary shall compute a State allotment for each
 24 State (including the District of Columbia and
 25 each commonwealth and territory) for such

1 semi-annual period in an amount equal to the
2 amount made available under such subpara-
3 graph, multiplied by the ratio of—

4 “(i) the amount of the allotment to
5 such State under subparagraph (A); to

6 “(ii) the total of the amount of all of
7 the allotments made available under such
8 subparagraph.

9 “(C) FULL YEAR AMOUNT BASED ON
10 REBASED AMOUNT.—The amount described in
11 this subparagraph for a State is equal to the
12 Federal payments to the State that are attrib-
13 utable to (and countable towards) the total
14 amount of allotments available under this sec-
15 tion to the State in fiscal year 2022 (including
16 payments made to the State under subsection
17 (n) for fiscal year 2022 as well as amounts re-
18 distributed to the State in fiscal year 2022),
19 multiplied by the allotment increase factor
20 under paragraph (6) for fiscal year 2023.

21 “(D) FIRST HALF RATIO.—The first half
22 ratio described in this subparagraph is the ratio
23 of—

24 “(i) the sum of—

1 “(I) the amount made available
2 under subsection (a)(26)(A); and

3 “(II) the amount of the appro-
4 priation for such period under section
5 3002(b)(2) of the HEALTHY KIDS
6 Act; to

7 “(ii) the sum of—

8 “(I) the amount described in
9 clause (i); and

10 “(II) the amount made available
11 under subsection (a)(26)(B).”.

12 (2) ONE-TIME APPROPRIATION FOR FISCAL
13 YEAR 2023.—There is appropriated to the Secretary
14 of Health and Human Services, out of any money in
15 the Treasury not otherwise appropriated,
16 \$20,200,000,000 to accompany the allotment made
17 for the period beginning on October 1, 2022, and
18 ending on March 31, 2023, under paragraph
19 (26)(A) of section 2104(a) of the Social Security Act
20 (42 U.S.C. 1397dd(a)) (as added by subsection (a)),
21 to remain available until expended. Such amount
22 shall be used to provide allotments to States under
23 paragraph (10) of section 2104(m) of such Act (as
24 added by paragraph (1)) for the first 6 months of
25 fiscal year 2023 in the same manner as allotments

1 are provided under subsection (a)(26)(A) of such
 2 section 2104 and subject to the same terms and con-
 3 ditions as apply to the allotments provided from
 4 such subsection (a)(26)(A).

5 (c) EXTENSION OF THE CHILD ENROLLMENT CON-
 6 TINGENCY FUND.—Section 2104(n) of the Social Security
 7 Act (42 U.S.C. 1397dd(n)) is amended—

8 (1) in paragraph (2)—

9 (A) in subparagraph (A)(ii)—

10 (i) by striking “2010, 2011, 2012,
 11 2013, 2014, and 2016” and inserting
 12 “2010 through 2014, 2016, and 2018
 13 through 2022”; and

14 (ii) by striking “fiscal year 2015 and
 15 fiscal year 2017” and inserting “fiscal
 16 years 2015, 2017, and 2023”; and

17 (B) in subparagraph (B)—

18 (i) by striking “2010, 2011, 2012,
 19 2013, 2014, and 2016” and inserting
 20 “2010 through 2014, 2016, and 2018
 21 through 2022”; and

22 (ii) by striking “fiscal year 2015 and
 23 fiscal year 2017” and inserting “fiscal
 24 years 2015, 2017, and 2023”; and

(2) in paragraph (3)(A), in the matter preceding clause (i), by striking “or a semi-annual allotment period for fiscal year 2015 or 2017” and inserting “or in any of fiscal years 2018 through 2022 (or a semi-annual allotment period for fiscal year 2015, 2017, or 2023)”.

(d) EXTENSION OF QUALIFYING STATES OPTION.—

(1) IN GENERAL.—Section 2105(g)(4) of the Social Security Act (42 U.S.C. 1397ee(g)(4)) is amended—

(A) in the heading, by striking “THROUGH 2017” and inserting “THROUGH 2023”; and

(B) in subparagraph (A), by striking “2017” and inserting “2023”.

(2) TECHNICAL AMENDMENTS.—Section 2104(f)(2)(B)(ii) of the Social Security Act (42 U.S.C. 1397dd(f)(2)(B)(ii)), as amended by section 3201(c) of the CHIP and Public Health Funding Extension Act (division C of Public Law 115–96), is amended—

(A) in subclause (I), by striking “for the month (as defined in subclause (II))” and inserting “(as defined in subclause (II)) for the month”;

1 (B) in subclause (II), by inserting “, as in
 2 effect on the day before the date of the enact-
 3 ment of the HEALTHY KIDS Act,” after “sec-
 4 tion 2105(g)(4)(A)”;

5 (C) in subclause (VI)—

6 (i) by inserting “, as in effect on the
 7 day before the date of the enactment of the
 8 HEALTHY KIDS Act” after “, section
 9 2105(g)(4)”;

10 (ii) by inserting “, as so in effect”
 11 after “under section 2105(g)(4)”.

12 (e) EXTENSION OF EXPRESS LANE ELIGIBILITY OP-
 13 TION.—Section 1902(e)(13)(I) of the Social Security Act
 14 (42 U.S.C. 1396a(e)(13)(I)) is amended by striking
 15 “2017” and inserting “2023”.

16 (f) ASSURANCE OF AFFORDABILITY STANDARD FOR
 17 CHILDREN AND FAMILIES.—

18 (1) IN GENERAL.—Section 2105(d)(3) of the
 19 Social Security Act (42 U.S.C. 1397ee(d)(3)) is
 20 amended—

21 (A) in the paragraph heading, by striking
 22 “UNTIL OCTOBER 1, 2019” and inserting
 23 “THROUGH SEPTEMBER 30, 2023”;

24 (B) in subparagraph (A), in the matter
 25 preceding clause (i)—

1 (i) by striking “2019” and inserting
2 “2023”; and

3 (ii) by striking “The preceding sen-
4 tence shall not be construed as preventing
5 a State during such period” and inserting
6 “During the period that begins on October
7 1, 2019, and ends on September 30, 2023,
8 the preceding sentence shall only apply
9 with respect to children in families whose
10 income does not exceed 300 percent of the
11 poverty line (as defined in section
12 2110(c)(5)) applicable to a family of the
13 size involved. The preceding sentences shall
14 not be construed as preventing a State
15 during any such periods”.

16 (2) CONFORMING AMENDMENTS.—Section
17 1902(gg)(2) of the Social Security Act (42 U.S.C.
18 1396a(gg)(2)) is amended—

19 (A) in the paragraph heading, by striking
20 “UNTIL OCTOBER 1, 2019” and inserting
21 “THROUGH SEPTEMBER 30, 2023”; and

22 (B) by striking “September 30, 2019,”
23 and inserting “September 30, 2023 (but during
24 the period that begins on October 1, 2019, and
25 ends on September 30, 2023, only with respect

1 to children in families whose income does not
 2 exceed 300 percent of the poverty line (as de-
 3 fined in section 2110(c)(5)) applicable to a fam-
 4 ily of the size involved”).

5 (g) CHIP LOOK-ALIKE PLANS.—

6 (1) BLENDING RISK POOLS.—Section 2107 of
 7 the Social Security Act (42 U.S.C. 1397gg) is
 8 amended by adding at the end the following:

9 “(g) USE OF BLENDED RISK POOLS.—

10 “(1) IN GENERAL.—Nothing in this title (or
 11 any other provision of Federal law) shall be con-
 12 strued as preventing a State from considering chil-
 13 dren enrolled in a qualified CHIP look-alike pro-
 14 gram and children enrolled in a State child health
 15 plan under this title (or a waiver of such plan) as
 16 members of a single risk pool.

17 “(2) QUALIFIED CHIP LOOK-ALIKE PROGRAM.—

18 In this subsection, the term ‘qualified CHIP look-
 19 alike program’ means a State program—

20 “(A) under which children who are under
 21 the age of 19 and are not eligible to receive
 22 medical assistance under title XIX or child
 23 health assistance under this title may purchase
 24 coverage through the State that provides bene-
 25 fits that are at least identical to the benefits

provided under the State child health plan under this title (or a waiver of such plan); and

“(B) that is funded exclusively through non-Federal funds, including funds received by the State in the form of premiums for the purchase of such coverage.”.

(2) COVERAGE RULE.—

(A) IN GENERAL.—Section 5000A(f)(1) of the Internal Revenue Code of 1986 is amended in subparagraph (A)(iii), by inserting “or under a qualified CHIP look-alike program (as defined in section 2107(g) of the Social Security Act)” before the comma at the end.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply with respect to taxable years beginning after December 31, 2017.

(h) AVAILABILITY OF UNUSED FISCAL YEAR 2018 REDISTRIBUTION AMOUNTS.—Any amounts that have been redistributed to States under subsection (f) of section 2104 of the Social Security Act (42 U.S.C. 1397dd) for fiscal year 2018 that are not, or will not be, expended by the end of that fiscal year shall be—

(1) adjusted by the Secretary before the end of fiscal year 2018 to reflect an updated estimate of

1 shortfalls under subsection (f)(2)(A) of such section;
 2 and

3 (2) available for redistribution under subsection
 4 (f) of such section for subsequent fiscal years.

5 **SEC. 3003. EXTENSION OF CERTAIN PROGRAMS AND DEM-**
 6 **ONSTRATION PROJECTS.**

7 (a) CHILDHOOD OBESITY DEMONSTRATION
 8 PROJECT.—Section 1139A(e)(8) of the Social Security
 9 Act (42 U.S.C. 1320b–9a(e)(8)) is amended—

10 (1) by striking “and \$10,000,000” and insert-
 11 ing “, \$10,000,000”; and

12 (2) by inserting after “2017” the following: “,
 13 and \$30,000,000 for the period of fiscal years 2018
 14 through 2023”.

15 (b) PEDIATRIC QUALITY MEASURES PROGRAM.—
 16 Section 1139A(i) of the Social Security Act (42 U.S.C.
 17 1320b–9a(i)) is amended—

18 (1) by striking “Out of any” and inserting the
 19 following:

20 “(1) IN GENERAL.—Out of any”;

21 (2) by striking “there is appropriated for each”
 22 and inserting “there is appropriated—

23 “(A) for each”;

24 (3) by striking “, and there is appropriated for
 25 the period” and inserting “;

1 “(B) for the period”;

2 (4) by striking “. Funds appropriated under
3 this subsection shall remain available until ex-
4 pended.” and inserting “; and”; and

5 (5) by adding at the end the following:

6 “(C) for the period of fiscal years 2018
7 through 2023, \$90,000,000 for the purpose of
8 carrying out this section (other than sub-
9 sections (e), (f), and (g)).

10 “(2) AVAILABILITY.—Funds appropriated
11 under this subsection shall remain available until ex-
12 pended.”.

13 **SEC. 3004. EXTENSION OF OUTREACH AND ENROLLMENT**
14 **PROGRAM.**

15 (a) IN GENERAL.—Section 2113 of the Social Secu-
16 rity Act (42 U.S.C. 1397mm) is amended—

17 (1) in subsection (a)(1), by striking “2017” and
18 inserting “2023”; and

19 (2) in subsection (g)—

20 (A) by striking “and \$40,000,000” and in-
21 serting “, \$40,000,000”; and

22 (B) by inserting after “2017” the fol-
23 lowing: “, and \$120,000,000 for the period of
24 fiscal years 2018 through 2023”.

1 (b) MAKING ORGANIZATIONS THAT USE PARENT
 2 MENTORS ELIGIBLE TO RECEIVE GRANTS.—Section
 3 2113(f) of the Social Security Act (42 U.S.C. 1397mm(f))
 4 is amended—

5 (1) in paragraph (1)(E), by striking “or com-
 6 munity-based doula programs” and inserting “, com-
 7 munity-based doula programs, or parent mentors”;
 8 and

9 (2) by adding at the end the following new
 10 paragraph:

11 “(5) PARENT MENTOR.—The term ‘parent
 12 mentor’ means an individual who—

13 “(A) is a parent or guardian of at least
 14 one child who is an eligible child under this title
 15 or title XIX; and

16 “(B) is trained to assist families with chil-
 17 dren who have no health insurance coverage
 18 with respect to improving the social deter-
 19 minants of the health of such children, includ-
 20 ing by providing—

21 “(i) education about health insurance
 22 coverage, including, with respect to obtain-
 23 ing such coverage, eligibility criteria and
 24 application and renewal processes;

1 “(ii) assistance with completing and
2 submitting applications for health insur-
3 ance coverage;

4 “(iii) a liaison between families and
5 representatives of State plans under title
6 XIX or State child health plans under this
7 title;

8 “(iv) guidance on identifying medical
9 and dental homes and community phar-
10 macies for children; and

11 “(v) assistance and referrals to suc-
12 cessfully address social determinants of
13 children’s health, including poverty, food
14 insufficiency, and housing.”.

15 (c) EXCLUSION FROM MODIFIED ADJUSTED GROSS
16 INCOME.—Section 1902(e) of the Social Security Act (42
17 U.S.C. 1396a(e)) is amended—

18 (1) in the first paragraph (14), relating to in-
19 come determined using modified adjusted gross in-
20 come, by adding at the end the following new sub-
21 paragraph:

22 “(J) EXCLUSION OF PARENT MENTOR
23 COMPENSATION FROM INCOME DETERMINA-
24 TION.—Any nominal amount received by an in-
25 dividual as compensation, including a stipend,

1 for participation as a parent mentor (as defined
 2 in paragraph (5) of section 2113(f)) in an activ-
 3 ity or program funded through a grant under
 4 such section shall be disregarded for purposes
 5 of determining the income eligibility of such in-
 6 dividual for medical assistance under the State
 7 plan or any waiver of such plan.”; and
 8 (2) by striking “(14) EXCLUSION” and insert-
 9 ing “(15) EXCLUSION”.

10 **SEC. 3005. EXTENSION AND REDUCTION OF ADDITIONAL**
 11 **FEDERAL FINANCIAL PARTICIPATION FOR**
 12 **CHIP.**

13 Section 2105(b) of the Social Security Act (42 U.S.C.
 14 1397ee(b)) is amended in the second sentence by inserting
 15 “and during the period that begins on October 1, 2019,
 16 and ends on September 30, 2020, the enhanced FMAP
 17 determined for a State for a fiscal year (or for any portion
 18 of a fiscal year occurring during such period) shall be in-
 19 creased by 11.5 percentage points” after “23 percentage
 20 points,”.

21 **SEC. 3006. MEDICAID IMPROVEMENT FUND.**

22 Section 1941 of the Social Security Act (42 U.S.C.
 23 1396w–1) is amended—

24 (1) in subsection (a), in the first sentence, by
 25 inserting before the period at the end the following:

1 “, and, in accordance with subsection (b)(3), for the
 2 purposes of subparagraph (B) of such subsection”;
 3 and

4 (2) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) in the first sentence, by inserting
 7 “pursuant to paragraph (1)” after “in the
 8 Fund”;

9 (ii) by inserting after the first sen-
 10 tence the following sentence: “Amounts in
 11 the Fund pursuant to paragraph (3) shall
 12 be available in advance of appropriations
 13 but only if the total amount obligated from
 14 the Fund does not exceed the amount
 15 available to the Fund under such para-
 16 graph (3).”; and

17 (iii) in the last sentence, by striking
 18 “sentence” and inserting “sentences”; and

19 (B) by adding at the end the following new
 20 paragraph:

21 “(3) ADDITIONAL FUNDING FOR STATE ACTIVI-
 22 TIES RELATING TO MECHANIZED CLAIMS SYS-
 23 TEMS.—

24 “(A) IN GENERAL.—In addition to the
 25 amount made available under paragraph (1),

1 there shall be available to the Fund, for expend-
 2 itures from the Fund in accordance with sub-
 3 paragraph (B), for fiscal year 2023 and there-
 4 after, \$980,000,000, to remain available until
 5 expended.

6 “(B) PURPOSES.—The Secretary shall use
 7 amounts made available to the Fund under sub-
 8 paragraph (A) to pay to each State which has
 9 a plan approved under this title, for each quar-
 10 ter beginning during or after fiscal year 2023
 11 an amount equal to—

12 “(i) 100 percent minus the percent
 13 specified in clause (i) of section
 14 1903(a)(3)(A) of so much of the sums ex-
 15 pended by the State during such quarter
 16 as are attributable to the activities de-
 17 scribed in such clause;

18 “(ii) 100 percent minus the Federal
 19 medical assistance percentage applied
 20 under clause (iii) of such section of so
 21 much of the sums expended during such
 22 quarter (as found necessary by the Sec-
 23 retary under such clause) by the State as
 24 are attributable to the activities described
 25 in such clause; and

1 “(iii) 100 percent minus the percent
 2 specified in section 1903(a)(3)(B) of so
 3 much of the sums expended by the State
 4 during such quarter as are attributable to
 5 the activities described in such section.”.

6 **DIVISION D—SUSPENSION OF**
 7 **CERTAIN HEALTH-RELATED**
 8 **TAXES**

9 **SEC. 4001. EXTENSION OF MORATORIUM ON MEDICAL DE-**
 10 **VICE EXCISE TAX.**

11 (a) IN GENERAL.—Section 4191(c) of the Internal
 12 Revenue Code of 1986 is amended by striking “December
 13 31, 2017” and inserting “December 31, 2019”.

14 (b) EFFECTIVE DATE.—The amendment made by
 15 this section shall apply to sales after December 31, 2017.

16 **SEC. 4002. DELAY IN IMPLEMENTATION OF EXCISE TAX ON**
 17 **HIGH COST EMPLOYER-SPONSORED HEALTH**
 18 **COVERAGE.**

19 Section 9001(c) of the Patient Protection and Afford-
 20 able Care Act is amended by striking “December 31,
 21 2019” and inserting “December 31, 2021”.

22 **SEC. 4003. SUSPENSION OF ANNUAL FEE ON HEALTH IN-**
 23 **SURANCE PROVIDERS.**

24 (b) IN GENERAL.—Section 9010(j) of the Patient
 25 Protection and Affordable Care Act is amended—

1 (1) by striking “and” at the end of paragraph
2 (1);

3 (2) by striking the period at the end of para-
4 graph (2) and inserting “, and ending before Janu-
5 ary 1, 2019, and”; and

6 (3) by adding at the end the following new
7 paragraph:

8 “(3) beginning after December 31, 2019.”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to calendar years beginning after
11 December 31, 2018.

12 **DIVISION E—BUDGETARY** 13 **EFFECTS**

14 **SEC. 5001. BUDGETARY EFFECTS.**

15 (a) IN GENERAL.—The budgetary effects of division
16 C and each succeeding division shall not be entered on
17 either PAYGO scorecard maintained pursuant to section
18 4(d) of the Statutory Pay-As-You-Go Act of 2010.

19 (b) SENATE PAYGO SCORECARDS.—The budgetary
20 effects of division C and each succeeding division shall not
21 be entered on any PAYGO scorecard maintained for pur-
22 poses of section 4106 of H. Con. Res. 71 (115th Con-
23 gress).

24 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
25 Notwithstanding Rule 3 of the Budget Scorekeeping

1 Guidelines set forth in the joint explanatory statement of
2 the committee of conference accompanying Conference Re-
3 port 105–217 and section 250(c)(8) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985, the
5 budgetary effects of division C and each succeeding divi-
6 sion shall not be estimated—

7 (1) for purposes of section 251 of such Act; and

8 (2) for purposes of paragraph (4)(C) of section

9 3 of the Statutory Pay-As-You-Go Act of 2010 as

10 being included in an appropriation Act.

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