

115TH CONGRESS
1ST SESSION

H. R. 2628

To amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children’s Health Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2017

Mr. GENE GREEN of Texas (for himself and Mr. BARTON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children’s Health Insurance Program, and for other purposes.

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 “Stabilize Medicaid and
5 CHIP Coverage Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Every year millions of people are enrolled in
2 Medicaid and the Children’s Health Insurance Pro-
3 gram (in this section referred to as “CHIP”), but
4 subsequently lose their coverage, despite still being
5 eligible, because of inefficient and cumbersome pa-
6 perwork and logistical requirements.

7 (2) Data show that the typical enrollee receives
8 Medicaid coverage for about three-quarters of a
9 year. Coverage periods are lower for non-elderly,
10 non-disabled adults than for those with disabilities,
11 seniors, and children.

12 (3) Medicaid enrollees with coverage disruptions
13 are more likely to be hospitalized for illnesses like
14 asthma, diabetes, or cardiovascular disease that can
15 be effectively managed through ongoing primary
16 medical care and medication, are less likely to be
17 screened for breast cancer, and may have poorer
18 cancer outcomes.

19 (4) Children enrolled in CHIP also experience
20 disruptions in health coverage and care. For exam-
21 ple, during just a one-year period, over one-third of
22 CHIP enrollees were also enrolled in a State’s Med-
23 icaid program. Transitions between Medicaid and
24 CHIP can cause disruptions in care because the

1 health care coverage and participating providers vary
2 between the two programs.

3 (5) Interruptions in coverage can impair the re-
4 ceipt of effective primary care and lead to expensive
5 hospitalizations or emergency room visits. Unneces-
6 sary enrollment, disenrollment, and reenrollment in
7 Medicaid and CHIP result in higher administrative
8 expenses for reenrollment and result in more people
9 uninsured at any given time.

10 (6) Stable coverage under Medicaid and CHIP
11 lowers average monthly medical costs.

12 (7) Continuous enrollment also permits better
13 prevention and disease management, leading to
14 fewer serious illnesses and hospitalizations.

15 (8) Children with stable coverage are less likely
16 to have unmet medical needs, allowing children to
17 receive the preventive care that is necessary to help
18 them grow into healthy adults.

19 **SEC. 3. 12-MONTH CONTINUOUS ENROLLMENT.**

20 (a) REQUIREMENT OF 12-MONTH CONTINUOUS EN-
21 ROLLMENT UNDER MEDICAID.—Section 1902(e)(12) of
22 the Social Security Act (42 U.S.C. 1396a(e)(12)) is
23 amended to read as follows:

24 “(12) 12-MONTH CONTINUOUS ENROLLMENT.—
25 Notwithstanding any other provision of this title, a

1 State plan approved under this title (or under any
2 waiver of such plan approved pursuant to section
3 1115 or section 1915), shall provide that an indi-
4 vidual who is determined to be eligible for benefits
5 under such plan (or waiver) shall remain eligible and
6 enrolled for such benefits through the end of the
7 month in which the 12-month period (beginning on
8 the date of determination of eligibility) ends.”.

9 (b) REQUIREMENT OF 12-MONTH CONTINUOUS EN-
10 ROLLMENT UNDER CHIP.—

11 (1) IN GENERAL.—Section 2102(b) of the So-
12 cial Security Act (42 U.S.C. 1397bb(b)) is amended
13 by adding at the end the following new paragraph:

14 “(6) REQUIREMENT FOR 12-MONTH CONTIN-
15 UOUS ENROLLMENT.—Notwithstanding any other
16 provision of this title, a State child health plan that
17 provides child health assistance under this title
18 through a means other than described in section
19 2101(a)(2), shall provide that an individual who is
20 determined to be eligible for benefits under such
21 plan shall remain eligible and enrolled for such bene-
22 fits through the end of the month in which the 12-
23 month period (beginning on the date of determina-
24 tion of eligibility) ends.”.

1 (2) CONFORMING AMENDMENT.—Section
2 2105(a)(4)(A) of the Social Security Act (42 U.S.C.
3 1397ee(a)(4)(A)) is amended—

4 (A) by striking “has elected the option of”
5 and inserting “is in compliance with the re-
6 quirement for”; and

7 (B) by striking “applying such policy
8 under its State child health plan under this
9 title” and inserting “in compliance with section
10 2102(b)”.

11 (c) EFFECTIVE DATE.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2) or (3), the amendments made by sub-
14 sections (a) and (b) shall apply to determinations
15 (and redeterminations) of eligibility made on or after
16 the date that is 18 months after the date of the en-
17 actment of this Act.

18 (2) EXTENSION OF EFFECTIVE DATE FOR
19 STATE LAW AMENDMENT.—In the case of a State
20 plan under title XIX or State child health plan
21 under title XXI of the Social Security Act (42
22 U.S.C. 1396 et seq.; 42 U.S.C. 1397aa et seq.)
23 which the Secretary of Health and Human Services
24 determines requires State legislation (other than leg-
25 islation appropriating funds) in order for the respec-

1 tive plan to meet the additional requirement imposed
2 by the amendment made by subsection (a) or (b), re-
3 spectively, the respective plan shall not be regarded
4 as failing to comply with the requirements of such
5 title solely on the basis of its failure to meet such
6 applicable additional requirement before the first
7 day of the first calendar quarter beginning after the
8 close of the first regular session of the State legisla-
9 ture that begins after the date of enactment of this
10 Act. For purposes of the previous sentence, in the
11 case of a State that has a 2-year legislative session,
12 each year of the session is considered to be a sepa-
13 rate regular session of the State legislature.

14 (3) OPTION TO IMPLEMENT 12-MONTH CONTIN-
15 UOUS ELIGIBILITY PRIOR TO EFFECTIVE DATE.—A
16 State may elect through a State plan amendment
17 under title XIX or XXI of the Social Security Act
18 (42 U.S.C. 1396 et seq.; 42 U.S.C. 1397aa et seq.)
19 to apply the amendment made by subsection (a) or
20 (b), respectively, on any date prior to the 18-month
21 date specified in paragraph (1), but not sooner than
22 the date of the enactment of this Act.

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