

116TH CONGRESS
2D SESSION

S. 4864

To amend title XIX of the Social Security Act to improve access to adult vaccines under Medicaid.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26 (legislative day, OCTOBER 19), 2020

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to improve access to adult vaccines under Medicaid.

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 “Helping Adults Protect
5 Immunity Act” or the “HAPI Act”.

6 **SEC. 2. IMPROVING ACCESS TO ADULT VACCINES UNDER**
7 **MEDICAID.**

8 (a) **REQUIRING MEDICAID PLANS TO COVER ADULT**
9 **VACCINATIONS.**—Section 1902(a)(10)(A) of the Social Se-
10 curity Act (42 U.S.C. 1396a(a)(10)(A)) is amended in the

1 matter preceding clause (i) by inserting “(13)(B),” after
 2 “(5),”.

3 (b) NO COST-SHARING FOR VACCINATIONS.—

4 (1) GENERAL COST-SHARING LIMITATIONS.—

5 Section 1916 of the Social Security Act (42 U.S.C.
 6 1396o) is amended—

7 (A) in subsection (a)(2)—

8 (i) in subparagraph (F), by striking “,
 9 or” and inserting a comma;

10 (ii) in subparagraph (G), by striking
 11 “; and” and inserting “, or”; and

12 (iii) by adding at the end the fol-
 13 lowing new subparagraph:

14 “(H) vaccines described in section
 15 1905(a)(13)(B) (and the administration of such
 16 vaccines); and”; and

17 (B) in subsection (b)(2)—

18 (i) in subparagraph (F), by striking “,
 19 or” and inserting a comma;

20 (ii) in subparagraph (G), by striking
 21 “; and” and inserting “, or”; and

22 (iii) by adding at the end the fol-
 23 lowing new subparagraph:

1 “(H) vaccines described in section
 2 1905(a)(13)(B) (and the administration of such
 3 vaccines); and”.

4 (2) APPLICATION TO ALTERNATIVE COST-SHAR-
 5 ING.—Section 1916A(b)(3)(B) of the Social Security
 6 Act (42 U.S.C. 1396o–1(b)(3)(B)) is amended by
 7 adding at the end the following new clause:

8 “(xii) Vaccines described in section
 9 1905(a)(13)(B) (and the administration of
 10 such vaccines).”.

11 (c) ENHANCED FMAP FOR ADULT VACCINES.—Sec-
 12 tion 1905(b) of the Social Security Act (42 U.S.C.
 13 1396d(b)) is amended—

14 (1) by striking “and (5)” and inserting “(5)”;

15 (2) by striking “services and vaccines described
 16 in subparagraphs (A) and (B) of subsection (a)(13),
 17 and prohibits cost-sharing for such services and vac-
 18 cines” and inserting “services described in sub-
 19 section (a)(13)(A), and prohibits cost-sharing for
 20 such services”;

21 (3) by striking “medical assistance for such
 22 services and vaccines” and inserting “medical assist-
 23 ance for such services”; and

24 (4) by inserting “, and (6) with respect to med-
 25 ical assistance for vaccines described in subsection

1 (a)(13)(B), the Federal medical assistance percent-
2 age, as determined under this subsection and sub-
3 section (y) (without regard to paragraph (1)(C) of
4 such subsection), shall be increased by 1 percentage
5 point” before the first period.

○