

118TH CONGRESS
1ST SESSION

H. R. 4771

To amend title XXI of the Social Security Act to permanently extend the Children’s Health Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2023

Ms. BARRAGÁN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XXI of the Social Security Act to permanently extend the 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 “Children’s Health In-
5 surance Program Permanency Act” or the “CHIPPA Act”.

6 **SEC. 2. PERMANENT EXTENSION OF CHILDREN’S HEALTH**
7 **INSURANCE PROGRAM.**

8 (a) IN GENERAL.—Section 2104(a)(28) of the Social
9 Security Act (42 U.S.C. 1397dd(a)(28)) is amended to
10 read as follows:

1 “(28) for fiscal year 2029 and each subsequent
2 year, such sums as are necessary to fund allotments
3 to States under subsections (c) and (m).”.

4 (b) ALLOTMENTS.—

5 (1) IN GENERAL.—Section 2104(m) of the So-
6 cial Security Act (42 U.S.C. 1397dd(m)) is amend-
7 ed—

8 (A) in paragraph (2)(B)(i), by striking “,
9 2023, and 2029” and inserting “and 2023”;

10 (B) in paragraph (5)—

11 (i) by striking “for a fiscal year” and
12 inserting “for a fiscal year before 2029”;
13 and

14 (ii) by striking “2023, or 2029” and
15 inserting “or 2023”;

16 (C) in paragraph (7)—

17 (i) in subparagraph (A), by striking
18 “and ending with fiscal year 2029,”; and

19 (ii) in the flush left matter at the end,
20 by striking “or fiscal year 2028” and in-
21 serting “fiscal year 2028, or a subsequent
22 even-numbered fiscal year”;

23 (D) in paragraph (9)—

24 (i) by striking “(10), or (11)” and in-
25 serting “or (10)”;

1 (ii) by striking “2023, or 2029,” and
2 inserting “or 2023”; and
3 (E) by striking paragraph (11).

4 (2) CONFORMING AMENDMENT.—Section
5 50101(b)(2) of the Bipartisan Budget Act of 2018
6 (Public Law 115–123) is repealed.

7 **SEC. 3. PERMANENT EXTENSIONS OF OTHER PROGRAMS**
8 **AND DEMONSTRATION PROJECTS.**

9 (a) PEDIATRIC QUALITY MEASURES PROGRAM.—
10 Section 1139A(i)(1) of the Social Security Act (42 U.S.C.
11 1320b–9a(i)(1)) is amended—

12 (1) in subparagraph (D), by striking at the end
13 “and”;

14 (2) in subparagraph (E), by striking the period
15 at the end and insert a semicolon; and

16 (3) by adding at the end the following new sub-
17 paragraphs:

18 “(E) for fiscal year 2030, \$15,000,000 for
19 the purpose of carrying out this section (other
20 than subsections (e), (f), and (g)); and

21 “(F) for a subsequent fiscal year, the
22 amount appropriated under this paragraph for
23 the previous fiscal year, increased by the per-
24 centage increase in the consumer price index for
25 all urban consumers (all items; United States

1 city average) over such previous fiscal year, for
2 the purpose of carrying out this section (other
3 than subsections (e), (f), and (g)).”.

4 (b) EXPRESS LANE ELIGIBILITY OPTION.—Section
5 1902(e)(13) of the Social Security Act (42 U.S.C.
6 1396a(e)(13)) is amended by striking subparagraph (I).

7 (c) ASSURANCE OF AFFORDABILITY STANDARD FOR
8 CHILDREN AND FAMILIES.—

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

12 (A) in the paragraph heading, by striking
13 “THROUGH SEPTEMBER 30, 2029”; and

14 (B) in subparagraph (A), in the matter
15 preceding clause (i)—

16 (i) by striking “During the period
17 that begins on the date of enactment of
18 the Patient Protection and Affordable Care
19 Act and ends on September 30, 2029” and
20 inserting “Beginning on the date of the en-
21 actment of the Patient Protection and Af-
22 fordable Care Act”;

23 (ii) by striking “During the period
24 that begins on October 1, 2019, and ends

1 on September 30, 2029” and inserting
2 “Beginning on October 1, 2019”; and

3 (iii) by striking “The preceding sen-
4 tences shall not be construed as preventing
5 a State during any such periods from” and
6 inserting “The preceding sentences shall
7 not be construed as preventing a State
8 from”.

9 (2) CONFORMING AMENDMENTS.—Section
10 1902(gg)(2) of the Social Security Act (42 U.S.C.
11 1396a(gg)(2)) is amended—

12 (A) in the paragraph heading, by striking
13 “THROUGH SEPTEMBER 30, 2029”; and

14 (B) by striking “through September 30”
15 and all that follows through “ends on Sep-
16 tember 30, 2029” and inserting “(but begin-
17 ning on October 1, 2019,)”.

18 (d) QUALIFYING STATES OPTION.—Section
19 2105(g)(4) of the Social Security Act (42 U.S.C.
20 1397ee(g)(4)) is amended—

21 (1) in the paragraph heading, by striking “FOR
22 FISCAL YEARS 2009 THROUGH 2029” and inserting
23 “AFTER FISCAL YEAR 2008”; and

1 (2) in subparagraph (A), by striking “for any
2 of fiscal years 2009 through 2029” and inserting
3 “for any fiscal year after fiscal year 2008”.

4 (e) OUTREACH AND ENROLLMENT PROGRAM.—Sec-
5 tion 2113 of the Social Security Act (42 U.S.C. 1397mm)
6 is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “during
9 the period of fiscal years 2009 through 2029”
10 and inserting “, beginning with fiscal year
11 2009,”;

12 (B) in paragraph (2)—

13 (i) by striking “10 percent of such
14 amounts” and inserting “10 percent of
15 such amounts for the period or the fiscal
16 year for which such amounts are appro-
17 priated”; and

18 (ii) by striking “during such period”
19 and inserting “, during such period or such
20 fiscal year,”; and

21 (C) in paragraph (3), by striking “For the
22 period of fiscal years 2024 through 2029, an
23 amount equal to 10 percent of such amounts”
24 and inserting “Beginning with fiscal year 2024,
25 an amount equal to 10 percent of such amounts

1 for the period or the fiscal year for which such
2 amounts are appropriated”; and

3 (2) in subsection (g)—

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

6 (B) by inserting after “and 2029” the fol-
7 lowing: “, \$12,000,000 for fiscal year 2030,
8 and, for each fiscal year after fiscal year 2030,
9 the amount appropriated under this subsection
10 for the previous fiscal year, increased by the
11 percentage increase in the consumer price index
12 for all urban consumers (all items; United
13 States city average) over such previous fiscal
14 year”.

15 (f) CHILD ENROLLMENT CONTINGENCY FUND.—
16 Section 2104(n) of the Social Security Act (42 U.S.C.
17 1397dd(n)) is amended—

18 (1) in paragraph (2)—

19 (A) in subparagraph (A)(ii)—

20 (i) by striking “and 2024 through
21 2028” and inserting “beginning with fiscal
22 year 2024”; and

23 (ii) by striking “2023, and 2029” and
24 inserting “, and 2023”; and

25 (B) in subparagraph (B)—

1 (i) by striking “2024 through 2028”
2 and inserting “beginning with fiscal year
3 2024”; and

4 (ii) by striking “2023, and 2029” and
5 inserting “, and 2023”; and

6 (2) in paragraph (3)(A)—

7 (A) by striking “fiscal years 2024 through
8 2028” and inserting “fiscal year 2024 or any
9 subsequent fiscal year”; and

10 (B) by striking “2023, or 2029” and in-
11 serting “, or 2023”.

12 **SEC. 4. STATE OPTION TO INCREASE CHILDREN’S ELIGI-**
13 **BILITY FOR MEDICAID AND CHIP.**

14 Section 2110(b)(1)(B)(ii) of the Social Security Act
15 (42 U.S.C. 1397jj(b)(1)(B)(ii)) is amended—

16 (1) in subclause (II), by striking “or” at the
17 end;

18 (2) in subclause (III), by striking “and” at the
19 end and inserting “or”; and

20 (3) by inserting after subclause (III) the fol-
21 lowing new subclause:

22 “(IV) at the option of the State,
23 whose family income exceeds the maximum
24 income level otherwise established for chil-
25 dren under the State child health plan as

1 of the date of the enactment of this sub-
2 clause; and”.

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