

118TH CONGRESS
2D SESSION

H. R. 8767

To amend title XIX of the Social Security Act to remove the exclusion from medical assistance under the Medicaid program of items and services for patients in an institution for mental diseases.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2024

Mr. THANEDAR introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to remove the exclusion from medical assistance under the Medicaid program of items and services for patients in an institution for mental diseases.

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 “Improving Access to
5 Institutional Mental Health Care Act”.

1 **SEC. 2. REMOVAL OF MEDICAID EXCLUSION FROM MED-**
2 **ICAL ASSISTANCE OF ITEMS AND SERVICES**
3 **FURNISHED TO PATIENTS IN AN INSTITU-**
4 **TION FOR MENTAL DISEASES.**

5 (a) IN GENERAL.—The first sentence of section
6 1905(a) of the Social Security Act (42 U.S.C. 1396d(a))
7 is amended, in the matter following paragraph (32)—

8 (1) by striking “such term does not include—
9 ” and all that follows through “(A) any” and insert-
10 ing “such term does not include any”;

11 (2) by striking “; or” and inserting a period;
12 and

13 (3) by striking subparagraph (B).

14 (b) CONFORMING AMENDMENTS TO PERMIT MED-
15 ICAL ASSISTANCE FOR IMD PATIENTS UNDER 65 YEARS
16 OF AGE.—The following provisions of such Act are each
17 amended by striking “65 years of age or older” and “65
18 years of age or over” each place it appears:

19 (1) Paragraphs (20) and (21) of section
20 1902(a) (42 U.S.C. 1396a(a)).

21 (2) Section 1905(a)(14) (42 U.S.C.
22 1396d(a)(14)).

23 (3) Section 1919(e)(7)(B)(i)(I) (42 U.S.C.
24 1396r(e)(7)(B)(i)(I)).

25 (c) EFFECTIVE DATE.—The amendments made by
26 this section shall take effect on October 1, 2024, and shall

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- 1 apply to items and services furnished on or after such
- 2 date.

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