

114TH CONGRESS  
1ST SESSION

# S. 522

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2015

Mr. BROWN (for himself, Ms. STABENOW, Mr. WYDEN, Mr. CASEY, Mr. REID, Mr. DURBIN, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mr. DONNELLY, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Mr. TESTER, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XXI of the Social Security Act to 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting And Retain-  
3 ing Our Children’s Health Insurance Program Act of  
4 2015”.

5 **SEC. 2. 4-YEAR EXTENSION OF CHIP FUNDING.**

6 (a) FUNDING.—

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

10 (A) in paragraph (17), by striking “and”  
11 at the end; and

12 (B) by striking paragraph (18) and insert-  
13 ing the following new paragraphs:

14 “(18) for fiscal year 2015, \$21,061,000,000;

15 “(19) for fiscal year 2016, \$19,300,000,000;

16 “(20) for fiscal year 2017, \$20,300,000,000;

17 “(21) for fiscal year 2018, \$21,300,000,000;

18 and

19 “(22) for fiscal year 2019, for purposes of mak-  
20 ing 2 semi-annual allotments—

21 “(A) \$2,850,000,000 for the period begin-  
22 ning on October 1, 2018, and ending on March  
23 31, 2019; and

24 “(B) \$2,850,000,000 for the period begin-  
25 ning on April 1, 2019, and ending on Sep-  
26 tember 30, 2019.”.

1           (2) PREVENTION OF DUPLICATE APPROPRIA-  
2           TIONS FOR FISCAL YEAR 2015.—Notwithstanding  
3           any other provision of law, insofar as funds have  
4           been appropriated under subsection (a)(18) or (m)  
5           of section 2104 of the Social Security Act (42  
6           U.S.C. 1397dd), or under section 108 of the Chil-  
7           dren’s Health Insurance Program Reauthorization  
8           Act of 2009 (Public Law 111–3), as such sub-  
9           sections and section are in effect on the day before  
10          the date of the enactment of this Act, to provide al-  
11          lotments to States under the State Children’s Health  
12          Insurance Program established under title XXI of  
13          the Social Security Act (42 U.S.C. 1397aa et seq.)  
14          (whether implemented under title XIX, XXI, or  
15          both, of the Social Security Act) for fiscal year  
16          2015—

17                   (A) any amounts that are so appropriated  
18                   that are not so allotted and obligated before the  
19                   date of the enactment of this Act, are re-  
20                   scinded; and

21                   (B) any amount provided for CHIP allot-  
22                   ments to a State under this section (and the  
23                   amendments made by this section) for such fis-  
24                   cal year shall be reduced by the amount of such

1           appropriations so allotted and obligated before  
2           such date.

3           (b) ALLOTMENTS.—

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

7                   (A) in the subsection heading, by striking  
8                   “THROUGH 2015” and inserting “AND THERE-  
9                   AFTER”;

10                  (B) in paragraph (2)—

11                          (i) in the paragraph heading, by strik-  
12                          ing “2014” and inserting “2018”; and

13                          (ii) by striking subparagraph (B) and  
14                          inserting the following new subparagraph:

15                               “(B) FISCAL YEAR 2013 THROUGH 2018.—  
16                               Subject to paragraphs (4) and (6), from the  
17                               amount made available under paragraphs (16)  
18                               through (21) of subsection (a) for each of fiscal  
19                               years 2013 through 2018, respectively, the Sec-  
20                               retary shall compute a State allotment for each  
21                               State (including the District of Columbia and  
22                               each commonwealth and territory) for each  
23                               such fiscal year as follows:

24                                       “(i) REBASING IN FISCAL YEAR 2013  
25                                       AND EACH SUCCEEDING ODD-NUMBERED

1 FISCAL YEAR.—For fiscal year 2013 and  
2 each succeeding odd-numbered fiscal year,  
3 the allotment of the State is equal to the  
4 Federal payments to the State that are at-  
5 tributable to (and countable toward) the  
6 total amount of allotments available under  
7 this section to the State in the preceding  
8 fiscal year (including payments made to  
9 the State under subsection (n) for such  
10 preceding fiscal year as well as amounts  
11 redistributed to the State in such pre-  
12 ceding fiscal year), multiplied by the allot-  
13 ment increase factor under paragraph (5)  
14 for such odd-numbered fiscal year.

15 “(ii) GROWTH FACTOR UPDATE FOR  
16 FISCAL YEAR 2014 AND EACH SUCCEEDING  
17 EVEN-NUMBERED FISCAL YEAR.—Except  
18 as provided in clause (iii), for fiscal year  
19 2014 and each succeeding even-numbered  
20 fiscal year, the allotment of the State is  
21 equal to the sum of—

22 “(I) the amount of the State al-  
23 lotment under clause (i) for the pre-  
24 ceding fiscal year; and

1                   “(II) the amount of any pay-  
2                   ments made to the State under sub-  
3                   section (n) for such preceding fiscal  
4                   year,

5                   multiplied by the allotment increase factor  
6                   under paragraph (5) for such even-num-  
7                   bered fiscal year.

8                   “(iii) SPECIAL RULE FOR FISCAL  
9                   YEAR 2016.—For fiscal year 2016, the al-  
10                  lotment of the State is equal to the Fed-  
11                  eral payments to the State that are attrib-  
12                  utable to (and countable toward) the total  
13                  amount of allotments available under this  
14                  section to the State in the preceding fiscal  
15                  year (including payments made to the  
16                  State under subsection (n) for such pre-  
17                  ceding fiscal year as well as amounts redis-  
18                  tributed to the State in such preceding fis-  
19                  cal year), but determined as if the last two  
20                  sentences of section 2105(b) were in effect  
21                  in such preceding fiscal year and then mul-  
22                  tiplying the result by the allotment in-  
23                  crease factor under paragraph (5) for fis-  
24                  cal year 2016.”;

25                  (C) in paragraph (3)—

- 1 (i) in the heading, by striking  
2 “2015” and inserting “2019”;
- 3 (ii) in subparagraph (A)—  
4 (I) by striking “paragraph (18)”  
5 and inserting “paragraph (22)”; and  
6 (II) by striking “section 108 of  
7 the Children’s Health Insurance Pro-  
8 gram Reauthorization Act of 2009”  
9 and inserting “section 2(b)(2) of the  
10 Protecting And Retaining Our Chil-  
11 dren’s Health Insurance Program Act  
12 of 2015”;
- 13 (iii) in subparagraph (B), by striking  
14 “paragraph (18)” and inserting “para-  
15 graph (22)”;  
16 (iv) in subparagraph (C)—  
17 (I) by striking “2014” each place  
18 it appears and inserting “2018”; and  
19 (II) by striking “2015” and in-  
20 serting “2019”; and  
21 (v) in subparagraph (D)—  
22 (I) in clause (i)—  
23 (aa) in subclause (I), by  
24 striking “subsection (a)(18)(A)”

1 and inserting “subsection  
2 (a)(22)(A)”;

3 (bb) in subclause (II), by  
4 striking “section 108 of the Chil-  
5 dren’s Health Insurance Program  
6 Reauthorization Act of 2009”  
7 and inserting “section 2(b)(2) of  
8 the Protecting And Retaining  
9 Our Children’s Health Insurance  
10 Program Act of 2015”; and

11 (II) in clause (ii)(II), by striking  
12 “subsection (a)(18)(B)” and inserting  
13 “subsection (a)(22)(B)”;

14 (D) in paragraph (4), by striking “2015”  
15 and inserting “2019”;

16 (E) in paragraph (6)—

17 (i) in subparagraph (A), by striking  
18 “2015” and inserting “2019”; and

19 (ii) in the second sentence, by striking  
20 “or fiscal year 2014” and inserting “fiscal  
21 year 2014, fiscal year 2016, or fiscal year  
22 2018”; and

23 (F) in paragraph (8)—

24 (i) in the paragraph heading, by strik-  
25 ing “2015” and inserting “2019”; and



1                   (ii) by striking “for a period in fiscal  
2                   year 2015” and inserting “for a period in  
3                   fiscal year 2019”.

4                   (2) ONE-TIME APPROPRIATION FOR FISCAL  
5                   YEAR 2019.—There is appropriated to the Secretary  
6                   of Health and Human Services, out of any money in  
7                   the Treasury not otherwise appropriated,  
8                   \$16,700,000,000 to accompany the allotment made  
9                   for the period beginning on October 1, 2018, and  
10                  ending on March 31, 2019, under section  
11                  2104(a)(22)(A) of the Social Security Act (42  
12                  U.S.C. 1397dd(a)(22)(A)) (as added by subsection  
13                  (a)(1)), to remain available until expended. Such  
14                  amount shall be used to provide allotments to States  
15                  under paragraph (3) of section 2104(m) of such Act  
16                  (42 U.S.C. 1397dd(m)) (as amended by paragraph  
17                  (1)(C)) for the first 6 months of fiscal year 2019 in  
18                  the same manner as allotments are provided under  
19                  subsection (a)(22)(A) of such section 2104 and sub-  
20                  ject to the same terms and conditions as apply to  
21                  the allotments provided from such subsection  
22                  (a)(22)(A).

23                  (c) CHILD ENROLLMENT CONTINGENCY FUND.—

1           (1) IN GENERAL.—Section 2104(n) of the So-  
2           cial Security Act (42 U.S.C. 1397dd(n)) is amend-  
3           ed—

4                   (A) in paragraph (2)—

5                           (i) in subparagraph (A)—

6                                   (I) in the matter preceding clause  
7                                   (i), by striking “and (D)” and insert-  
8                                   ing “, (D), and (E)”; and

9                                   (II) by striking clause (ii) and in-  
10                                  serting the following:

11                                  “(ii) for each of—

12    “(I) fiscal years 2010 through  
13    2014, such sums as are necessary for  
14    making payments to eligible States for  
15    such fiscal year, but not in excess of  
16    the aggregate cap described in sub-  
17    paragraph (B); and

18    “(II) fiscal years 2015 through  
19    2018 (and for each of the semi-annual  
20    allotment periods for fiscal year  
21    2019), such sums as are necessary for  
22    making payments to eligible States for  
23    such fiscal year or period.”; and

24                                  (ii) by striking subparagraph (B) and  
25                                  inserting the following:

1           “(B) AGGREGATE CAP.—The total amount  
2 available for payment from the Fund for each  
3 of fiscal years 2010 through 2014, taking into  
4 account deposits made under subparagraph (C),  
5 shall not exceed 20 percent of the amount made  
6 available under subsection (a) for the fiscal  
7 year. In the case of fiscal years 2015 through  
8 2018 (and for each of the semi-annual allot-  
9 ment periods for fiscal year 2019), there shall  
10 be no limit on the amount available for pay-  
11 ment from the Fund.”;

12           (iii) in subparagraph (D)—

13           (I) by inserting “before fiscal  
14 year 2015” after “fiscal year or pe-  
15 riod”; and

16           (II) by striking “for any suc-  
17 ceeding fiscal year”; and

18           (iv) by adding at the end the following  
19 subparagraph:

20           “(E) TRANSFERS.—Notwithstanding any  
21 other provision of this title, the following  
22 amounts shall also be available, without fiscal  
23 year limitation, for making payments from the  
24 Fund:

1                   “(i) UNOBLIGATED NATIONAL ALLOT-  
2                   MENT FOR FISCAL YEARS BEGINNING WITH  
3                   FISCAL YEAR 2014.—

4                   “(I) FISCAL YEAR 2014 ALLOT-  
5                   MENT.—As of December 31 of fiscal  
6                   year 2015, the portion, if any, of the  
7                   amount appropriated under subsection  
8                   (a) for fiscal year 2014 that is unobli-  
9                   gated for allotment to a State under  
10                  subsection (m) for such fiscal year.

11                  “(II) SUCCEEDING FISCAL YEAR  
12                  ALLOTMENTS.—As of December 31 of  
13                  fiscal year 2016, and each succeeding  
14                  fiscal year, the portion, if any, of the  
15                  amount appropriated under subsection  
16                  (a) for the preceding fiscal year that  
17                  is unobligated for allotment to a State  
18                  under subsection (m) for such pre-  
19                  ceding fiscal year.

20                  “(ii) UNEXPENDED ALLOTMENTS NOT  
21                  USED FOR REDISTRIBUTION.—As of De-  
22                  cember 31 of fiscal year 2015, and as of  
23                  November 15 of each succeeding fiscal  
24                  year, the total amount of allotments made  
25                  to States under subsection (a) for the sec-

1           ond preceding fiscal year that is not ex-  
 2           pended or redistributed under subsection  
 3           (f) during the period in which such allot-  
 4           ments are available for obligation.

5           “(iii) UNEXPENDED PERFORMANCE  
 6           INCENTIVE FUNDS.—As of January 1,  
 7           2016, and as of January 1 of each suc-  
 8           ceeding calendar year, the portion, if any,  
 9           of the amount appropriated under section  
 10          2105(a)(3)(E)(iii) for the preceding fiscal  
 11          year that is not expended or obligated  
 12          under such section.”; and

13          (B) in paragraph (3)—

14           (i) in subparagraph (A)—

15           (I) by redesignating clauses (i)  
 16           and (ii) as subclauses (I) and (II), re-  
 17           spectively, and realigning the left mar-  
 18           gins accordingly;

19           (II) by striking “If a State’s”  
 20           and all that follows through “2015,”  
 21           and inserting the following:

22           “(i) FOR FISCAL YEARS 2009  
 23           THROUGH 2014.—If a State’s expenditures  
 24           under this title in fiscal year 2009, fiscal  
 25           year 2010, fiscal year 2011, fiscal year

1                   2012, fiscal year 2013, or fiscal year  
2                   2014”;

3                   (III) by striking “or period” each  
4                   place it appears;

5                   (IV) in subclause (II) (as so re-  
6                   designated), by striking “(or in which  
7                   the period occurs)”; and

8                   (V) by adding at the end the fol-  
9                   lowing clause:

10                  “(ii) FOR FISCAL YEARS AFTER  
11                  2014.—

12                   “(I) IN GENERAL.—For each of  
13                   fiscal years 2015 through 2018 (and  
14                   for each of the semi-annual allotment  
15                   periods for fiscal year 2019), if the  
16                   Secretary determines that a State is a  
17                   shortfall State described in subclause  
18                   (II) for that fiscal year or period, the  
19                   Secretary shall pay to the State from  
20                   the Fund, in addition to any other  
21                   payments made to the State under  
22                   this title for the fiscal year or period,  
23                   an amount equal to the amount de-  
24                   scribed in subclause (III).

1                   “(II) SHORTFALL STATES DE-  
2                   SCRIBED.—For purposes of this  
3                   clause, with respect to a fiscal year or  
4                   semi-annual allotment period, a short-  
5                   fall State is a State for which the Sec-  
6                   retary estimates, on the basis of the  
7                   most recent data available to the Sec-  
8                   retary, that the projected expenditures  
9                   for the State and fiscal year or period  
10                  under this title (including in the form  
11                  of coverage described in paragraph (1)  
12                  or (2) of section 2101, or both) will  
13                  exceed the sum of—

14                   “(aa) the amount of the  
15                   State’s allotments for any pre-  
16                   ceding fiscal year that remains  
17                   available for expenditure and  
18                   that will not be expended by the  
19                   end of the immediately preceding  
20                   fiscal year;

21                   “(bb) the amount (if any)  
22                   that will be redistributed to the  
23                   State under subsection (f) for the  
24                   fiscal year or period;

1           “(cc) the amount (if any) to  
2           be paid to the State in the first  
3           quarter of the fiscal year under  
4           section 2105(a)(3); and

5           “(dd) the amount of the  
6           State’s allotment for the fiscal  
7           year or period.

8           “(III) AMOUNT DESCRIBED.—

9           With respect to a State and fiscal  
10          year or period, the amount described  
11          in this subclause is equal to the  
12          amount by which the projected ex-  
13          penditures for the State under this  
14          title for the fiscal year or period (esti-  
15          mated by the Secretary on the basis  
16          of the most recent data available to  
17          the Secretary) exceed the sum deter-  
18          mined under subclause (II) for the  
19          State and fiscal year or period.

20          “(IV) RETROSPECTIVE ADJUST-  
21          MENT.—The Secretary may adjust the  
22          determinations made under this clause  
23          with respect to a State and fiscal year  
24          or period as necessary on the basis of  
25          the amounts reported by States not



1 later than November 30 of the suc-  
 2 ceeding fiscal year, as approved by the  
 3 Secretary.”;

4 (ii) in subparagraph (B)(ii), by strik-  
 5 ing “(or semi-annual period occurring in a  
 6 fiscal year)”;

7 (iii) in subparagraph (C)—

8 (I) in the matter preceding clause  
 9 (i), by striking “subparagraph (A)(ii)”  
 10 and inserting “subparagraph  
 11 (A)(i)(II)”;

12 (II) in clause (ii), by striking  
 13 “(or semi-annual period occurring in a  
 14 fiscal year)”;

15 (iv) in subparagraph (G), by inserting  
 16 “the expenditures under the State child  
 17 health plan and” after “regarding”.

18 (2) CONFORMING AMENDMENT.—Section  
 19 2104(f)(2)(A)(ii) of the Social Security Act (42  
 20 U.S.C. 13957dd(f)(2)(A)(ii)) is amended by insert-  
 21 ing “only in the case of a fiscal year before fiscal  
 22 year 2015,” before “the amount”.

23 (d) EXTENSION AND UPDATE OF PERFORMANCE IN-  
 24 CENTIVE PAYMENTS.—

1           (1) EXTENSION THROUGH FISCAL YEAR  
2           2019.—Section 2105(a)(3) of the Social Security  
3           Act (42 U.S.C. 1397ee(a)(3)) is amended—

4                   (A) in subparagraph (A)—

5                           (i) by striking “2013” and inserting  
6                           “2019”; and

7                           (ii) in the second sentence, by insert-  
8                           ing “, except that payment under this  
9                           paragraph may be made to a State for fis-  
10                           cal year 2014 as a single payment not  
11                           later than December 31, 2015” before the  
12                           period;

13                   (B) in subparagraph (E)—

14                           (i) in clause (ii)—

15                                   (I) by striking subclause (I) and  
16                                   inserting the following:

17   “(I) UNOBLIGATED NATIONAL  
18   ALLOTMENT FOR FISCAL YEARS 2009  
19   THROUGH 2013.—As of December 31  
20   of fiscal year 2009, and as of Decem-  
21   ber 31 of each succeeding fiscal year  
22   through fiscal year 2013, the portion,  
23   if any, of the amount appropriated  
24   under section 2104(a) for such fiscal  
25   year that is unobligated for allotment

1 to a State under section 2104(m) for  
2 such fiscal year or set aside under  
3 subsection (a)(3) or (b)(2) of section  
4 2111 for such fiscal year.”;

5 (II) in subclause (III), by strik-  
6 ing “2013” and inserting “2014”;

7 (ii) by redesignating clause (iii) as  
8 clause (iv); and

9 (iii) by inserting after clause (ii) the  
10 following new clause:

11 “(iii) APPROPRIATION FOR FISCAL  
12 YEARS 2015 THROUGH 2019.—Out of any  
13 money in the Treasury not otherwise ap-  
14 propriated, there are appropriated  
15 \$500,000,000 for each of fiscal years 2015  
16 through 2019 for making payments under  
17 this paragraph. Amounts appropriated for  
18 a fiscal year under this clause shall remain  
19 available for making payments under this  
20 paragraph until January 1 of the following  
21 fiscal year. Any amounts of such appro-  
22 priations that remain unexpended or unob-  
23 ligated as of such date shall be transferred  
24 and made available for making payments  
25 under section 2104(n).”;

1 (C) in subparagraph (F)(iii), by striking  
2 “2013” and inserting “2019”.

3 (2) UPDATED PERFORMANCE INCENTIVE CRI-  
4 TERIA FOR FISCAL YEARS 2015 THROUGH 2019.—Sec-  
5 tion 2105(a) of the Social Security Act (42 U.S.C.  
6 1397ee(a)) is amended—

7 (A) in paragraph (3)(A), by inserting “or  
8 (5)” after “paragraph (4)”;

9 (B) in paragraph (4)—

10 (i) in the heading, by inserting “FIS-  
11 CAL YEARS 2009 THROUGH 2014” after  
12 “FOR CHILDREN”; and

13 (ii) in the matter preceding subpara-  
14 graph (A), by striking “for a fiscal year if”  
15 and inserting “for fiscal years 2009  
16 through 2014 if”; and

17 (C) by adding at the end the following new  
18 paragraph:

19 “(5) ENROLLMENT AND RETENTION PROVI-  
20 SIONS FOR CHILDREN FOR FISCAL YEAR 2015 AND  
21 SUCCEEDING FISCAL YEARS.—

22 “(A) IN GENERAL.—For purposes of para-  
23 graph (3)(A), a State meets the condition of  
24 this paragraph for fiscal year 2015 and any  
25 succeeding fiscal year if it is implementing at

1 least 4 of the enrollment and retention provi-  
2 sions specified in subparagraph (B) (treating  
3 each clause as a separate enrollment and reten-  
4 tion provision) throughout the entire fiscal year.

5 “(B) ENROLLMENT AND RETENTION PRO-  
6 VISIONS.—The enrollment and retention provi-  
7 sions specified in this subparagraph are the fol-  
8 lowing:

9 “(i) CONTINUOUS ELIGIBILITY.—The  
10 State has elected the option of continuous  
11 eligibility for a full 12 months for all chil-  
12 dren described in section 1902(e)(12)  
13 under title XIX under 19 years of age, as  
14 well as applying such policy under its State  
15 child health plan under this title.

16 “(ii) EXPRESS LANE ELIGIBILITY.—  
17 The State is implementing the option de-  
18 scribed in section 1902(e)(13) under title  
19 XIX as well as, pursuant to section  
20 2107(e)(1), under this title.

21 “(iii) PRESUMPTIVE ELIGIBILITY.—  
22 The State provides medical assistance to  
23 children during a presumptive eligibility  
24 period by implementing section 1920A  
25 under title XIX as well as, pursuant to

1 section 2107(e)(1), under this title, and  
2 ensures that such period begins with the  
3 determination by any qualified entity that  
4 the family income of the child does not ex-  
5 ceed the applicable level of income eligi-  
6 bility under the State plan. A State shall  
7 not satisfy this provision if the only type of  
8 entity recognized by the State as a quali-  
9 fied entity is a hospital that has elected to  
10 be a qualified entity under section  
11 1902(a)(47)(B).

12 “(iv) PREMIUM ASSISTANCE FOR EM-  
13 PLOYER-SPONSORED PLANS.—The State  
14 has opted to offer a premium assistance  
15 subsidy for qualified employer-sponsored  
16 coverage by implementing section 1906A  
17 under title XIX or the option described in  
18 section 2105(c)(10) under this title.

19 “(v) ELIMINATION OF WAITING PERI-  
20 ODS.—The State does not impose a wait-  
21 ing period for coverage of any individual  
22 under the State child health plan and en-  
23 sures that no waiting period applies in the  
24 case of coverage provided to any individual  
25 eligible for coverage under the State child

1 health plan through coverage purchased by  
2 the State under section 2105(c)(3) or em-  
3 ployer-sponsored coverage subsidized by  
4 the State under section 1906A of title XIX  
5 or section 2105(c)(10) of this title.

6 “(vi) AUTOMATED TRACKING OF COST  
7 SHARING OR LOWER CAP ON COST SHAR-  
8 ING.—In the case of a State child health  
9 plan that imposes premiums, deductibles,  
10 cost sharing, or similar charges that could  
11 (as determined by the Secretary) cause  
12 families that include an individual receiv-  
13 ing assistance under the plan to have out-  
14 of-pocket expenses that exceed the limit  
15 imposed under section 2103(e)(3)(B), the  
16 State has either—

17 “(I) established, or, in the case  
18 of a State child health plan that pro-  
19 vides child health assistance through  
20 managed care entities or organiza-  
21 tions, required such entities or organi-  
22 zations to coordinate with the State  
23 agency responsible for implementing  
24 the State child health plan under this  
25 title in establishing—

1           “(aa) an electronic process  
2           for tracking such expenses that  
3           does not rely on documentation  
4           provided by the individual or the  
5           family; and

6           “(bb) a system for notifying  
7           each such family of the aggregate  
8           monthly or quarterly limits on  
9           out-of-pocket expenses applicable  
10          to the family under section  
11          2103(e)(3)(B) and explaining to  
12          each such family that no such ex-  
13          penses shall be imposed on any  
14          individual in the family for the  
15          remainder of any month or quar-  
16          ter with respect to which the  
17          family has reached the applicable  
18          aggregate monthly or quarterly  
19          family limit imposed under such  
20          section; or

21          “(II) elected to eliminate  
22          deductibles, copayments, coinsurance,  
23          or other forms of cost-sharing (other  
24          than premiums) imposed under this  
25          title with respect to any individual re-



1           ceiving coverage under the State child  
2           health plan.

3           “(vii) REAL-TIME ELIGIBILITY DETER-  
4           MINATIONS THROUGH THE USE OF EN-  
5           HANCED DATA SOURCES.—With respect to  
6           applications and renewals for medical as-  
7           sistance under title XIX or child health as-  
8           sistance under this title for a fiscal year,  
9           the State meets the following criteria for  
10          all income determinations made using  
11          modified adjusted gross income under sec-  
12          tion 1902(e)(14)(A):

13                 “(I) The State relies on enhanced  
14                 data sources (which may include, but  
15                 shall not be limited to, the data  
16                 sources available under section 1137  
17                 or the federal Data Services Hub) to  
18                 make the determinations.

19                 “(II) In the case of initial appli-  
20                 cations, the State makes at least 50  
21                 percent of the determinations within  
22                 24 hours of receiving the application.  
23                 If a State successfully makes the re-  
24                 quired minimum percentage of timely  
25                 determinations for a fiscal year, such

1 State shall not receive credit for meet-  
2 ing this provision in any subsequent  
3 fiscal year unless the State makes a  
4 percentage of timely income deter-  
5 minations that is at least 5 percentage  
6 points higher (or, if at least 75 per-  
7 cent of the State's determinations in a  
8 previous fiscal year were timely, 1  
9 percentage point higher) than the per-  
10 centage that the State achieved in the  
11 last fiscal year in which the State re-  
12 ceived credit for meeting this provi-  
13 sion.

14 “(III) In the case of renewals,  
15 the State makes at least 50 percent of  
16 the determinations within 24 hours of  
17 receiving the renewal. If a State suc-  
18 cessfully makes the required minimum  
19 percentage of timely determinations  
20 for a fiscal year, such State shall not  
21 receive credit for meeting this provi-  
22 sion in any subsequent fiscal year un-  
23 less the State makes a percentage of  
24 timely income determinations that is  
25 at least 5 percentage points higher

1 (or, if at least 75 percent of the  
2 State's determinations in a previous  
3 fiscal year were timely, 1 percentage  
4 point higher) than the percentage that  
5 the State achieved in the last fiscal  
6 year in which the State received credit  
7 for meeting this provision.

8 “(viii) ELIMINATION OF PREMIUMS OR  
9 RETROACTIVE REINSTATEMENT UPON PRE-  
10 MIUM PAYMENT.—The State has elected to  
11 either—

12 “(I) impose no premiums for cov-  
13 erage under the State child health  
14 plan; or

15 “(II) in the case of an individual  
16 whose coverage under the State child  
17 health plan has been terminated for  
18 failure to make premium payments,  
19 provide assistance to such individual  
20 for purposes of immediate reenroll-  
21 ment of the individual upon payment  
22 of outstanding premiums, with cov-  
23 erage retroactive to the beginning of  
24 the most recent month for which an  
25 outstanding premium has been paid,

1                   and shall not impose any waiting pe-  
2                   riod or fee as a condition of such re-  
3                   enrollment.”.

4           (e) EXTENSION OF QUALIFYING STATES OPTION.—  
5 Section 2105(g)(4) of the Social Security Act (42 U.S.C.  
6 1397ee(g)(4)) is amended—

7           (1) in the paragraph heading, by striking  
8           “2015” and inserting “2019”; and

9           (2) in subparagraph (A), by striking “2015”  
10          and inserting “2019”.

11          (f) EXTENSION OF CERTAIN PROGRAMS AND DEM-  
12          ONSTRATION PROJECTS.—

13           (1) QUALITY CARE FOR CHILDREN DEM-  
14          ONSTRATION PROJECT.—Section 1139A(d)(1) of the  
15          Social Security Act (42 U.S.C. 1320b–9a(d)(1)) is  
16          amended in the matter before subparagraph (A) by  
17          inserting “, and during the period of fiscal years  
18          2016 through 2019, the Secretary shall award not  
19          more than 10 grants,” before “to States”.

20           (2) CHILDHOOD OBESITY DEMONSTRATION  
21          PROJECT.—Section 1139A(e)(8) of the Social Secu-  
22          rity Act (42 U.S.C. 1320b–9a(e)(8)) is amended by  
23          inserting “, and \$25,000,000 for the period of fiscal  
24          years 2015 though 2019” after “2014”.

1           (3) PEDIATRIC QUALITY MEASURES PRO-  
2           GRAM.—Section 1139A(i) of the Social Security Act  
3           (42 U.S.C. 1320b–9a(i)) is amended in the first sen-  
4           tence by inserting before the period at the end the  
5           following: “, and there is appropriated for each of  
6           fiscal years 2016 through 2019, \$45,000,000 for the  
7           purpose of carrying out this section (other than sub-  
8           sections (e), (f), and (g)).”.

9           (4) OUTREACH AND ENROLLMENT GRANTS; NA-  
10          TIONAL CAMPAIGN.—Section 2113 of the Social Se-  
11          curity Act (42 U.S.C. 1397mm) is amended—

12                   (A) in subsection (a)(1), by striking  
13                   “2015” and inserting “2019”; and

14                   (B) in subsection (g), by inserting “, and  
15                   \$80,000,000 for the period of fiscal years 2016  
16                   through 2019, to remain available until ex-  
17                   pended,” after “2015”.

18          (g) EXPRESS LANE ELIGIBILITY.—Section  
19          1902(e)(13)(I) of the Social Security Act (42 U.S.C.  
20          1396a(e)(13)(I)) is amended by striking “September 30,  
21          2015” and inserting “September 30, 2019”.

22          (h) AUTHORITY TO USE INCOME DETERMINATION  
23          MADE UNDER CERTAIN PROGRAMS.—Section  
24          1902(e)(14) of the Social Security Act (42 U.S.C.  
25          1396a(e)(14)) is amended—

1           (1) in subparagraph (A), in the first sentence,  
2           by striking “subparagraph (D)” and inserting “sub-  
3           paragraphs (D) and (J)”;

4           (2) by adding at the end the following new sub-  
5           paragraph:

6                   “(J) USE OF INCOME DETERMINATION  
7                   MADE UNDER CERTAIN OTHER PROGRAMS.—

8                           “(i) IN GENERAL.—For purposes of  
9                           determining income eligibility for medical  
10                           assistance under the State plan or under  
11                           any waiver of such plan, a State may use  
12                           a determination of income made by—

13                                   “(I) the State program funded  
14                                   under part A of title IV; or

15                                   “(II) the supplemental nutrition  
16                                   assistance program established under  
17                                   the Food and Nutrition Act of 2008.

18                                   “(ii) SUNSET.—Clause (i) shall not  
19                                   apply after September 30, 2019.”.

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