To require the Secretary of Health and Human Services to establish a program to provide health care coverage to low-income adults in States that have not expanded Medicaid.

IN THE SENATE OF THE UNITED STATES

Mr. Warnock (for himself, Ms. Baldwin, and Mr. Ossoff) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To require the Secretary of Health and Human Services to establish a program to provide health care coverage to low-income adults in States that have not expanded 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 “Medicaid Saves Lives
5 Act”.
SEC. 2. MEDICAID FALLBACK COVERAGE PROGRAM FOR
LOW-INCOME ADULTS IN NON-EXPANSION
STATES.

(a) IN GENERAL.—As soon as possible after the date
of enactment of this Act the Secretary of Health and
Human Services (in this section referred to as the “Sec-
retary”) shall—

(1) directly or by contract, establish a program
that offers eligible individuals the opportunity to en-
roll in health benefits coverage that meets the re-
quirements described in subsection (c) and any re-
quirements applicable to such coverage pursuant to
subsection (d); and

(2) ensure that such program is administered
consistent with the requirements of section
431.10(c)(2) of title 42, Code of Federal Regula-
tions.

(b) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this
section, the term “eligible individual” means an individual
who—

(1) is described in section
1902(a)(10)(A)(i)(VIII) of the Social Security Act
(42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

(2) resides in a State that—

(A) does not expend amounts for medical
assistance under title XIX of the Social Secu-
rity Act (42 U.S.C. 1396 et seq.) for all individuals described in such section; and

(B) did not expend amounts for medical assistance under such title for all such individuals as of the date of enactment of this Act; and

(3) would not be eligible for medical assistance under such State’s plan for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or a waiver of such plan, as such plan or waiver was in effect on such date.

(c) HEALTH BENEFITS COVERAGE REQUIREMENTS.—The requirements described in this subsection with respect to health benefits coverage are the following:

(1) ESSENTIAL HEALTH BENEFITS.—At a minimum, the coverage meets the minimum standards required under paragraph (5) of section 1937(b) of the Social Security Act (42 U.S.C. 1396u–7(b)) for benchmark coverage described in paragraph (1) of such section or benchmark equivalent coverage described in paragraph (2) of such section.

(2) PREMIUMS AND COST-SHARING.—No premiums are imposed for the coverage, and deductibles, cost sharing, or similar charges may only be imposed in accordance with the requirements
imposed on State Medicaid plans under section 1916
of the Social Security Act (42 U.S.C. 1396o).
(d) Application of Requirements and Provi-
sions of Title XIX of the Social Security Act.—
The Secretary shall specify that—
(1) any requirement applicable to the furnishing
of medical assistance under title XIX of the Social
Security Act (42 U.S.C. 1396 et seq.) by States that
have elected to make medical assistance available to
individuals described in section
1902(a)(10)(A)(i)(VIII) of such title (42 U.S.C.
1396a(a)(10)(A)(i)(VIII)) that does not conflict with
the requirements specified in subsection (c) applies
to the program established under this section; and
(2) other provisions of such title apply to such
program.
(e) No State Mandate.—Nothing in this section
shall be construed as requiring a State to make expendi-
tures related to the program established under this section
and the Secretary shall not impose any such requirement.
(f) Funding.—There are appropriated to the Sec-
etary for each fiscal year beginning with fiscal year 2021
from any funds in the Treasury not otherwise appro-
priated, such sums as are necessary to carry out this sec-
tion.
SEC. 3. INCREASE AND EXTENSION OF TEMPORARY ENHANCED FMAP FOR STATES WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) In General.—Section 1905(ii)(1) of the Social Security Act (42 U.S.C. 1396d(ii)(1)) is amended—

(1) by striking “8-quarter period” and inserting “40-quarter period”; and

(2) by striking “5 percentage points” and inserting “10 percentage points”.

(b) Effective Date.—The amendments made by this section shall take effect as if included in the enactment of section 9814 of the American Rescue Plan Act of 2021 (Public Law 117–2).