

117TH CONGRESS  
1ST SESSION

# H. R. 4595

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2021

Ms. BOURDEAUX (for herself, Ms. CASTOR of Florida, Mrs. MCBATH, Ms. ROSS, Ms. MANNING, Ms. WILLIAMS of Georgia, Mr. VEASEY, Ms. MOORE of Wisconsin, Mr. CARSON, Mr. THOMPSON of Mississippi, Mr. DANNY K. DAVIS of Illinois, Mr. CLYBURN, Mrs. MURPHY of Florida, Mr. COOPER, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. KIND, Mr. BUTTERFIELD, Ms. LOIS FRANKEL of Florida, Ms. SEWELL, Mr. COHEN, Mr. CRIST, Mr. PRICE of North Carolina, Mr. SOTO, Ms. WASSERMAN SCHULTZ, Mrs. DEMINGS, Mr. DEUTCH, Ms. JACKSON LEE, Mr. LAWSON of Florida, Mr. DAVID SCOTT of Georgia, Ms. ADAMS, Mr. GREEN of Texas, Mr. CASTRO of Texas, and Mr. ALLRED) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicaid Saves Lives  
3 Act”.

4 **SEC. 2. MEDICAID FALLBACK COVERAGE PROGRAM FOR**  
5 **LOW-INCOME ADULTS IN NON-EXPANSION**  
6 **STATES.**

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

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

17 (2) ensure that such program is administered  
18 consistent with the requirements of section  
19 431.10(c)(2) of title 42, Code of Federal Regula-  
20 tions.

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

24 (1) is described in section  
25 1902(a)(10)(A)(i)(VIII) of the Social Security Act  
26 (42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

1 (2) resides in a State that—

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

6 (B) did not expend amounts for medical  
7 assistance under such title for all such individ-  
8 uals as of the date of enactment of this Act;  
9 and

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

15 (c) HEALTH BENEFITS COVERAGE REQUIRE-  
16 MENTS.—The requirements described in this subsection  
17 with respect to health benefits coverage are the following:

18 (1) ESSENTIAL HEALTH BENEFITS.—At a min-  
19 imum, the coverage meets the minimum standards  
20 required under paragraph (5) of section 1937(b) of  
21 the Social Security Act (42 U.S.C. 1396u–7(b)) for  
22 benchmark coverage described in paragraph (1) of  
23 such section or benchmark equivalent coverage de-  
24 scribed in paragraph (2) of such section.

1           (2) PREMIUMS AND COST-SHARING.—No pre-  
2           miums are imposed for the coverage, and deduct-  
3           ibles, cost sharing, or similar charges may only be  
4           imposed in accordance with the requirements im-  
5           posed on State Medicaid plans under section 1916 of  
6           the Social Security Act (42 U.S.C. 1396o).

7           (d) APPLICATION OF REQUIREMENTS AND PROVI-  
8           SIONS OF TITLE XIX OF THE SOCIAL SECURITY ACT.—  
9           The Secretary shall specify that—

10           (1) any requirement applicable to the furnishing  
11           of medical assistance under title XIX of the Social  
12           Security Act (42 U.S.C. 1396 et seq.) by States that  
13           have elected to make medical assistance available to  
14           individuals           described           in           section  
15           1902(a)(10)(A)(i)(VIII) of such title (42 U.S.C.  
16           1396a(a)(10)(A)(i)(VIII)) that does not conflict with  
17           the requirements specified in subsection (c) applies  
18           to the program established under this section; and

19           (2) other provisions of such title apply to such  
20           program.

21           (e) NO STATE MANDATE.—Nothing in this section  
22           shall be construed as requiring a State to make expendi-  
23           tures related to the program established under this section  
24           and the Secretary shall not impose any such requirement.

1 (f) FUNDING.—There are appropriated to the Sec-  
 2 retary for each fiscal year beginning with fiscal year 2021  
 3 from any funds in the Treasury not otherwise appro-  
 4 priated, such sums as are necessary to carry out this sec-  
 5 tion.

6 **SEC. 3. INCREASE AND EXTENSION OF TEMPORARY EN-**  
 7 **HANCED FMAP FOR STATES WHICH BEGIN TO**  
 8 **EXPEND AMOUNTS FOR CERTAIN MANDA-**  
 9 **TORY INDIVIDUALS.**

10 (a) IN GENERAL.—Section 1905(ii)(1) of the Social  
 11 Security Act (42 U.S.C. 1396d(ii)(1)) is amended—

12 (1) by striking “8-quarter period” and inserting  
 13 “40-quarter period”; and

14 (2) by striking “5 percentage points” and in-  
 15 serting “10 percentage points”.

16 (b) EFFECTIVE DATE.—The amendments made by  
 17 this section shall take effect as if included in the enact-  
 18 ment of section 9814 of the American Rescue Plan Act  
 19 of 2021 (Public Law 117–2).

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