

117TH CONGRESS
1ST SESSION

H. R. 1791

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

MARCH 11, 2021

Ms. BARRAGÁN (for herself, Mr. CÁRDENAS, Mr. RUSH, Mr. BISHOP of Georgia, Mr. HASTINGS, Ms. NORTON, and Mr. COHEN) 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 “CHIPP Act”.

1 **SEC. 2. PERMANENT EXTENSION OF CHILDREN'S HEALTH**
2 **INSURANCE PROGRAM.**

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

6 “(28) for fiscal year 2027 and each subsequent
7 year, such sums as are necessary to fund allotments
8 to States under subsections (c) and (m).”.

9 (b) ALLOTMENTS.—

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

13 (A) in paragraph (2)(B)(i), by striking “,,
14 2023, and 2027” and inserting “and 2023”;

15 (B) in paragraph (5)—

16 (i) by striking “for a fiscal year” and
17 inserting “for a fiscal year before 2027”;
18 and

19 (ii) by striking “2023, or 2027” and
20 inserting “or 2023”;

21 (C) in paragraph (7)—

22 (i) in subparagraph (A), by striking
23 “and ending with fiscal year 2027,”; and

24 (ii) in the flush left matter at the end,
25 by striking “or fiscal year 2026” and in-

1 serting “fiscal year 2026, or a subsequent
2 even-numbered fiscal year”;

3 (D) in paragraph (9)—

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

6 (ii) by striking “2023, or 2027,” and
7 inserting “or 2023”; and

8 (E) by striking paragraph (11).

9 (2) CONFORMING AMENDMENT.—Section
10 50101(b)(2) of the Bipartisan Budget Act of 2018
11 (Public Law 115–123) is repealed.

12 **SEC. 3. PERMANENT EXTENSIONS OF OTHER PROGRAMS**
13 **AND DEMONSTRATION PROJECTS.**

14 (a) PEDIATRIC QUALITY MEASURES PROGRAM.—
15 Section 1139A(i)(1) of the Social Security Act (42 U.S.C.
16 1320b–9a(i)(1)) is amended—

17 (1) in subparagraph (C), by striking at the end
18 “and”;

19 (2) in subparagraph (D), by striking the period
20 at the end and insert a semicolon; and

21 (3) by adding at the end the following new sub-
22 paragraphs:

23 “(E) for fiscal year 2028, \$15,000,000 for
24 the purpose of carrying out this section (other
25 than subsections (e), (f), and (g)); and

1 “(F) for a subsequent fiscal year, the
 2 amount appropriated under this paragraph for
 3 the previous fiscal year, increased by the per-
 4 centage increase in the consumer price index for
 5 all urban consumers (all items; United States
 6 city average) over such previous fiscal year, for
 7 the purpose of carrying out this section (other
 8 than subsections (e), (f), and (g)).”.

9 (b) EXPRESS LANE ELIGIBILITY OPTION.—Section
 10 1902(e)(13) of the Social Security Act (42 U.S.C.
 11 1396a(e)(13)) is amended by striking subparagraph (I).

12 (c) ASSURANCE OF AFFORDABILITY STANDARD FOR
 13 CHILDREN AND FAMILIES.—

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

17 (A) in the paragraph heading, by striking
 18 “THROUGH SEPTEMBER 30, 2027”; and

19 (B) in subparagraph (A), in the matter
 20 preceding clause (i)—

21 (i) by striking “During the period
 22 that begins on the date of enactment of
 23 the Patient Protection and Affordable Care
 24 Act and ends on September 30, 2027” and
 25 inserting “Beginning on the date of the en-

actment of the Patient Protection and Affordable Care Act”;

(ii) by striking “During the period that begins on October 1, 2019, and ends on September 30, 2027” and inserting “Beginning on October 1, 2019”; and

(iii) by striking “The preceding sentences shall not be construed as preventing a State during any such periods from” and inserting “The preceding sentences shall not be construed as preventing a State from”.

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

(A) in the paragraph heading, by striking “THROUGH SEPTEMBER 30, 2027”; and

(B) by striking “through September 30” and all that follows through “ends on September 30, 2027” and inserting “(but beginning on October 1, 2019,”.

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

1 (1) in the paragraph heading, by striking “FOR
2 FISCAL YEARS 2009 THROUGH 2027” and inserting
3 “AFTER FISCAL YEAR 2008”; and

4 (2) in subparagraph (A), by striking “for any
5 of fiscal years 2009 through 2027” and inserting
6 “for any fiscal year after fiscal year 2008”.

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

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “during
12 the period of fiscal years 2009 through 2027”
13 and inserting “, beginning with fiscal year
14 2009,”;

15 (B) in paragraph (2)—

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

21 (ii) by striking “during such period”
22 and inserting “, during such period or such
23 fiscal year,”; and

24 (C) in paragraph (3), by striking “For the
25 period of fiscal years 2024 through 2027, an

1 amount equal to 10 percent of such amounts”
2 and inserting “Beginning with fiscal year 2024,
3 an amount equal to 10 percent of such amounts
4 for the period or the fiscal year for which such
5 amounts are appropriated”; and

6 (2) in subsection (g)—

7 (A) by striking “2017,,” and inserting
8 “2017,”;

9 (B) by striking “and \$48,000,000” and in-
10 serting “\$48,000,000”; and

11 (C) by inserting after “through 2027” the
12 following: “, \$12,000,000 for fiscal year 2028,
13 and, for each fiscal year after fiscal year 2028,
14 the amount appropriated under this subsection
15 for the previous fiscal year, increased by the
16 percentage increase in the consumer price index
17 for all urban consumers (all items; United
18 States city average) over such previous fiscal
19 year”.

20 (f) CHILD ENROLLMENT CONTINGENCY FUND.—

21 Section 2104(n) of the Social Security Act (42 U.S.C.
22 1397dd(n)) is amended—

23 (1) in paragraph (2)—

24 (A) in subparagraph (A)(ii)—

1 (i) by striking “and 2024 through
2 2026” and inserting “beginning with fiscal
3 year 2024”; and

4 (ii) by striking “2023, and 2027” and
5 inserting “, and 2023”; and

6 (B) in subparagraph (B)—

7 (i) by striking “2024 through 2026”
8 and inserting “beginning with fiscal year
9 2024”; and

10 (ii) by striking “2023, and 2027” and
11 inserting “, and 2023”; and

12 (2) in paragraph (3)(A)—

13 (A) by striking “fiscal years 2024 through
14 2026” and inserting “fiscal year 2024 or any
15 subsequent fiscal year”; and

16 (B) by striking “2023, or 2027” and in-
17 serting “, or 2023”.

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

20 Section 2110(b)(1)(B)(ii) of the Social Security Act
21 (42 U.S.C. 1397jj(b)(1)(B)(ii)) is amended—

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

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

1 (3) by inserting after subclause (III) the fol-
2 lowing new subclause:

3 “(IV) at the option of the State,
4 whose family income exceeds the maximum
5 income level otherwise established for chil-
6 dren under the State child health plan as
7 of the date of the enactment of this sub-
8 clause; and”.

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