

107TH CONGRESS  
1ST SESSION

# H. R. 2610

To amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2001

Mrs. LOWEY (for herself, Mr. HYDE, and Mr. MURTHA) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

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 “Mothers and Newborns  
5 Health Insurance Act of 2001”.

1 **SEC. 2. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**  
2 **SURED PREGNANT WOMEN UNDER A STATE**  
3 **CHILD HEALTH PLAN.**

4 (a) IN GENERAL.—Title XXI of the Social Security  
5 Act (42 U.S.C. 1397aa et seq.) is amended by adding at  
6 the end the following:

7 **“SEC. 2111. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**  
8 **SURED PREGNANT WOMEN.**

9 “(a) OPTIONAL COVERAGE.—Notwithstanding any  
10 other provision of this title, a State child health plan may  
11 provide for coverage of pregnancy-related assistance for  
12 targeted low-income pregnant women in accordance with  
13 this section.

14 “(b) DEFINITIONS.—For purposes of this section:

15 “(1) PREGNANCY-RELATED ASSISTANCE.—The  
16 term ‘pregnancy-related assistance’ has the meaning  
17 given the term ‘child health assistance’ in section  
18 2110(a) as if any reference to targeted low-income  
19 children were a reference to targeted low-income  
20 pregnant women, except that the assistance shall be  
21 limited to pregnancy-related services (as defined in  
22 regulation for purposes of title XIX).

23 “(2) TARGETED LOW-INCOME PREGNANT  
24 WOMAN.—The term ‘targeted low-income pregnant  
25 woman’ has the meaning given the term ‘targeted  
26 low-income child’ in section 2110(b) as if any ref-

1       erence to a child were deemed a reference to a  
2       woman during pregnancy and through the end of the  
3       month in which the 60-day period (beginning on the  
4       last day of her pregnancy) ends.

5       “(c) REFERENCES TO TERMS AND SPECIAL  
6 RULES.—In the case of, and with respect to, a State pro-  
7 viding for coverage of pregnancy-related assistance to tar-  
8 geted low-income pregnant women under subsection (a),  
9 the following special rules apply:

10           “(1) Any reference in this title (other than sub-  
11           section (b)) to a targeted low-income child is deemed  
12           to include a reference to a targeted low-income preg-  
13           nant woman.

14           “(2) Any such reference to child health assist-  
15           ance with respect to such women is deemed a ref-  
16           erence to pregnancy-related assistance.

17           “(3) Any such reference to a child is deemed a  
18           reference to a woman during pregnancy and the pe-  
19           riod described in subsection (b)(2).

20           “(4) The reference in section 2107(e)(1)(D) to  
21           section 1920A (relating to presumptive eligibility for  
22           children) is deemed a reference to section 1920 (re-  
23           lating to presumptive eligibility for pregnant  
24           women).

1           “(5) The medicaid applicable income level is  
2           deemed a reference to the income level established  
3           under section 1902(l)(2)(A).

4           “(6) Subsection (a) of section 2103 (relating to  
5           required scope of health insurance coverage) shall  
6           not apply insofar as a State limits coverage to serv-  
7           ices described in subsection (b)(1) and the reference  
8           to such section in section 2105(a)(1) is deemed not  
9           to require, in such case, compliance with the require-  
10          ments of section 2103(a).

11          “(7) There shall be no exclusion of benefits for  
12          services described in subsection (b)(1) based on any  
13          pre-existing condition, and no waiting period (includ-  
14          ing a waiting period to carry out section  
15          2102(b)(3)(C)) shall apply.

16          “(d) NO IMPACT ON ALLOTMENTS.—Nothing in this  
17          section shall be construed as affecting the amount of any  
18          initial allotment provided to a State under section  
19          2104(b).

20          “(e) APPLICATION OF FUNDING RESTRICTIONS.—  
21          The coverage under this section (and the funding of such  
22          coverage) is subject to the restrictions of section  
23          2105(c).”.

24          (b) APPLICATION OF QUALIFIED ENTITIES TO PRE-  
25          SUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN UNDER

1 MEDICAID.—Section 1920(b) of the Social Security Act  
2 (42 U.S.C. 1396r–1(b)) is amended by adding at the end  
3 after and below paragraph (2) the following flush sen-  
4 tence:

5 “The term ‘qualified provider’ includes a qualified entity  
6 as defined in section 1920A(b)(3).”.

7 (c) CONFORMING AMENDMENTS.—Section  
8 2102(b)(1)(B) of the Social Security Act (42 U.S.C.  
9 1397bb(b)(1)(B)) is amended—

10 (1) by striking “and” at the end of clause (i);

11 (2) by striking the period at the end of clause

12 (ii) and inserting “, and”; and

13 (3) by adding at the end the following:

14 “(iii) may not apply a waiting period  
15 (including a waiting period to carry out  
16 paragraph (3)(C)) in the case of a targeted  
17 low-income child who is pregnant, if the  
18 State provides for coverage of pregnancy-  
19 related assistance for targeted low-income  
20 pregnant women in accordance with section  
21 2111.”.

22 (d) EFFECTIVE DATE.—The amendments made by  
23 this section take effect on the date of enactment of this  
24 Act and apply to allotments under title XXI of the Social

1 Security Act (42 U.S.C. 1397aa et seq.) for all fiscal  
2 years.

3 **SEC. 3. AUTOMATIC ENROLLMENT FOR CHILDREN BORN**  
4 **TO WOMEN RECEIVING PREGNANCY-RE-**  
5 **LATED ASSISTANCE.**

6 (a) IN GENERAL.—Section 2111 of the Social Secu-  
7 rity Act, as added by section 2, is amended by adding at  
8 the end the following:

9 “(f) AUTOMATIC ENROLLMENT FOR CHILDREN  
10 BORN TO WOMEN RECEIVING PREGNANCY-RELATED AS-  
11 SISTANCE.—Notwithstanding any other provision of this  
12 title or title XIX, if a child is born to a targeted low-in-  
13 come pregnant woman who was receiving pregnancy-re-  
14 lated assistance under this section on the date of the  
15 child’s birth, the child shall be deemed to have applied for  
16 child health assistance under the State child health plan  
17 on the date of such birth, to have been found eligible for  
18 such assistance under such plan (or, in the case of a State  
19 that provides such assistance through the provision of  
20 medical assistance under a plan under title XIX to have  
21 applied for medical assistance under such title and to have  
22 been found eligible for such assistance under such title on  
23 the date of such birth) and to remain eligible for such as-  
24 sistance until the child attains 1 year of age, so long as  
25 the child is a member of the woman’s household.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) takes effect on the date of enactment of  
3 this Act and applies to allotments under title XXI of the  
4 Social Security Act (42 U.S.C. 1397aa et seq.) for all fis-  
5 cal years.

6 **SEC. 4. EXPANDED AVAILABILITY OF FUNDING FOR ADMIN-**  
7 **ISTRATIVE COSTS RELATED TO OUTREACH**  
8 **AND ELIGIBILITY DETERMINATIONS.**

9 Section 1931(h) of the Social Security Act (42 U.S.C.  
10 1396u–1(h)) is amended—

11 (1) by striking the subsection heading and in-  
12 sserting “INCREASED FEDERAL MATCHING RATE  
13 FOR ADMINISTRATIVE COSTS RELATED TO OUT-  
14 REACH AND ELIGIBILITY DETERMINATIONS”; and

15 (2) in paragraph (2), by striking “eligibility de-  
16 terminations” and all that follows and inserting “de-  
17 terminations of the eligibility of children and preg-  
18 nant women for benefits under the State plan under  
19 this title or title XXI, outreach to children and preg-  
20 nant women likely to be eligible for such benefits,  
21 and such other outreach- and eligibility-related ac-  
22 tivities as the Secretary may approve.”.

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