119th CONGRESS 1st Session

To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for the administrative costs of providing health benefits to individuals who are unauthorized immigrants.

IN THE SENATE OF THE UNITED STATES

Mr. CASSIDY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

- To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for the administrative costs of providing health benefits to individuals who are unauthorized immigrants.
 - 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 "Protect Medicaid Act".

1	SEC. 2. PROHIBITING FEDERAL MEDICAID FUNDING FOR
2	THE ADMINISTRATIVE COSTS OF PROVIDING
3	HEALTH BENEFITS TO INDIVIDUALS WHO
4	ARE UNAUTHORIZED IMMIGRANTS.
5	Section 1903(i) of the Social Security Act (42 U.S.C.
6	1396b(i)) is amended—
7	(1) in paragraph (26), by striking "; or" and
8	inserting a semicolon;
9	(2) in paragraph (27), by striking the period at
10	the end and inserting "; or"; and
11	(3) by inserting after paragraph (27) the fol-
12	lowing new paragraph:
13	"(28) with respect to any amounts expended for
14	the administration of a State program that provides
15	health benefits to noncitizens who are ineligible for
16	medical assistance under this title on the basis of
17	not having a satisfactory immigration status (as de-
18	fined in section $1137(d)(1)(B)(iii))$ (except that such
19	prohibition shall not be construed as prohibiting
20	payment under the preceding provisions of this sec-
21	tion for costs attributable to the establishment or
22	operation of a system designed to ensure compliance
23	with such prohibition).".
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24 SEC. 3. INSPECTOR GENERAL REPORT.

Not later than 180 days after the date of enactmentof this Act, the Inspector General of the Department of

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Health and Human Services shall submit to Congress a
 report that includes the following information with respect
 to States that provide health benefits to noncitizens who
 are ineligible on the basis of immigration status for med ical assistance under title XIX of the Social Security Act
 (42 U.S.C. 1396 et seq.):

7 (1) How such States separate amounts ex8 pended on the administrative costs related to the
9 State's Medicaid program and amounts expended on
10 administrative costs related to providing health ben11 efits to such noncitizens.

(2) The types of procedures, protocols, or systems that such States employ to ensure that they
are in full compliance with prohibitions on the use
of Federal funding to provide health benefits to such
noncitizens and how effective they are at ensuring
compliance.

(3) A description of States' methods of financing State programs that provide health benefits to
noncitizens who are ineligible for medical assistance
due to not having a satisfactory immigration status,
including through the increased use of provider taxes
and intergovernmental transfers to finance the nonFederal share of expenditures under the State Med-

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 dividuals who are not so ineligible. (4) An analysis of— (A) the extent to which such noncitizer are provided covered outpatient drugs put chased under— (i) the Medicaid Drug Rebate Pr gram under section 1927 of the Social S curity Act (42 U.S.C. 1396r–8); or (ii) the drug discount program under section 340B of the Public Health Service Act (42 U.S.C. 256b); and (B) the effect that the provision to such noncitizens of covered outpatient drugs put chased under the programs described in sulficient.
4(A) the extent to which such noncitizer5are provided covered outpatient drugs pu6chased under—7(i) the Medicaid Drug Rebate Pr8gram under section 1927 of the Social S9curity Act (42 U.S.C. 1396r–8); or10(ii) the drug discount program under11section 340B of the Public Health Service12Act (42 U.S.C. 256b); and13(B) the effect that the provision to such14noncitizens of covered outpatient drugs pu15chased under the programs described in such
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15 chased under the programs described in sul
16 paragraph (A) has on the average manufacture
17 price (as defined in section $1927(k)(1)$ of the
18 Social Security Act (42 U.S.C. 1396r–8(k)(1)
19 of such drugs, including whether the average
20 manufacturer price for such drugs would be
21 lower if no drugs purchased under such pr
22 grams were provided to such noncitizens.