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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend titles XIX and XXI of the Social Security Act to provide for continuous eligibility for certain children under the Medicaid program and the Children’s Health Insurance Program.

IN THE HOUSE OF REPRESENTATIVES

Ms. CASTOR of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend titles XIX and XXI of the Social Security Act to provide for continuous eligibility for certain children under the Medicaid program and the Children’s Health Insurance Program.

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 “Keep Kids Covered
5 Act”.

1 **SEC. 2. REQUIRING STATES TO PROVIDE FOR CONTINUOUS**
2 **ELIGIBILITY FOR CHILDREN UNDER MED-**
3 **ICAID AND CHIP.**

4 (a) CONTINUOUS ELIGIBILITY FOR DEEMED
5 NEWBORNS UNTIL AGE 6.—

6 (1) MEDICAID.—Section 1902(e)(4) of the So-
7 cial Security Act (42 U.S.C. 1396a(e)(4)) is amend-
8 ed by striking “one year” and inserting “6 years”.

9 (2) CHIP.—Section 2112(e) of the Social Secu-
10 rity Act (42 U.S.C. 1397ll(e)) is amended by strik-
11 ing “1 year of age” and inserting “6 years of age
12 (except that such a child who is enrolled under the
13 State child health plan or waiver may be transferred
14 to the Medicaid program under title XIX for the re-
15 maining duration of the 6-year continuous eligibility
16 period, if the child becomes eligible for full benefits
17 under title XIX during such period)”.

18 (b) CONTINUOUS ELIGIBILITY FOR CHILDREN
19 UNDER AGE 19 AND FORMER FOSTER YOUTH.—

20 (1) MEDICAID.—Section 1902(e)(12) of the So-
21 cial Security Act (42 U.S.C. 1396a(e)(12)) is
22 amended—

23 (A) in the paragraph heading, by striking
24 “1 YEAR OF CONTINUOUS” and inserting “CON-
25 TINUOUS”;

1 (B) in the text preceding subparagraph
2 (A), by inserting “has attained the age of 6
3 and” after “an individual who”;

4 (C) in subparagraph (A), by striking “the
5 12-month period” and inserting “the 24-month
6 period”;

7 (D) by redesignating subparagraphs (A)
8 through (C) as clauses (i) through (iii), respec-
9 tively, and adjusting the margins accordingly;

10 (E) by striking “The State plan” and in-
11 serting:

12 “(A) CHILDREN UNDER AGE 6.—The State
13 plan (or waiver of such State plan) shall pro-
14 vide that an individual who is under the age of
15 6 and who is determined to be eligible for bene-
16 fits under a State plan (or waiver of such plan)
17 approved under this title under subsection
18 (a)(10)(A) shall remain eligible for such bene-
19 fits until the earlier of—

20 “(i) the time that such individual at-
21 tains the age of 6; or

22 “(ii) the date that such individual
23 ceases to be a resident of such State.

24 “(B) CHILDREN AGES 6 THROUGH 18.—
25 The State plan”; and

1 (F) by adding at the end the following new
2 subparagraph:

3 “(C) FORMER FOSTER YOUTH.—The State
4 plan (or waiver of such State plan) shall pro-
5 vide that an individual who is determined to be
6 eligible for benefits under a State plan (or waiv-
7 er of such plan) approved under this title under
8 subsection (a)(10)(A)(i)(IX) shall remain eligi-
9 ble for such benefits until the earlier of—

10 “(i) the time that such individual at-
11 tains the age of 26; or

12 “(ii) the date that such individual
13 ceases to be a resident of such State.”.

14 (2) CHIP.—Section 2107(e)(1)(K) of the So-
15 cial Security Act (42 U.S.C. 1397gg(e)(1)(K)) is
16 amended—

17 (A) by striking “1 year of”; and

18 (B) by striking “12-month” and inserting
19 “applicable”.

20 (c) UPDATING CONTACT INFORMATION DURING
21 CONTINUOUS ELIGIBILITY PERIOD.—

22 (1) MEDICAID.—Section 1902(a) of the Social
23 Security Act (42 U.S.C. 1396a(a)) is amended—

24 (A) in paragraph (86), by striking “and”
25 at the end;

1 (B) in paragraph (87), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by inserting after paragraph (87) the
4 following new paragraph:

5 “(88) provide for a process—

6 “(A) to obtain, not less frequently than an-
7 nually, the up-to-date contact information for
8 individuals enrolled under such plan (or a waiv-
9 er of such plan) who have been so enrolled for
10 a period of longer than 12 months pursuant to
11 a continuous eligibility provision under this
12 title; and

13 “(B) to inform each such individual of
14 their enrollment under such plan (or waiver)
15 pursuant to such continuous eligibility provision
16 and of the remaining duration of the applicable
17 period of continuous eligibility.”.

18 (2) CHIP.—Section 2107(e)(1) of the Social
19 Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

20 (A) by redesignating subparagraphs (H)
21 through (U) as subparagraphs (I) through (V),
22 respectively; and

23 (B) by inserting after subparagraph (G)
24 the following new subparagraph:

1 “(H) Section 1902(a)(88) (relating to the
2 verification of contact information and provision
3 of information regarding enrollment during a
4 period of continuous eligibility).”.

5 (d) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect on the date that is 1 year
7 after the date of the enactment of this section.

8 **SEC. 3. ADJUSTING APPLICATION OF PROVISION PRO-**
9 **VIDING COVERAGE CONTINUITY FOR**
10 **FORMER FOSTER CHILDREN UP TO AGE 26**
11 **UNDER MEDICAID.**

12 Section 1002(a)(2) of the SUPPORT for Patients
13 and Communities Act (42 U.S.C. 1396a note) is amended
14 by striking “shall take effect with respect to” and all that
15 follows through the end and inserting the following: “shall
16 apply—

17 “(A) beginning January 1, 2023, with re-
18 spect to foster youth who attain 18 years of age
19 on or after such date; and

20 “(B) beginning on the date that is 180
21 days after the date of enactment of the Keep
22 Kids Covered Act, with respect to foster youth
23 not described in subparagraph (A).”.