

S 860 IS

110th CONGRESS

1st Session

S. 860

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

IN THE SENATE OF THE UNITED STATES**March 13, 2007**

Mr. SMITH (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. BROWN, Ms. STABENOW, Ms. CANTWELL, Mr. LEAHY, Mr. SPECTER, Mr. NELSON of Florida, Mr. COLEMAN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. DURBIN, Mr. KENNEDY, Ms. COLLINS, Mrs. LINCOLN, Mr. WYDEN, Mr. BAYH, Ms. SNOWE, Mr. SANDERS, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Early Treatment for HIV Act of 2007'.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

(a) In General- Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended--

(1) in subsection (a)(10)(A)(ii)--

(A) by striking 'or' at the end of subclause (XVIII);

(B) by adding 'or' at the end of subclause (XIX); and

(C) by adding at the end the following:

`(XX) who are described in subsection (dd) (relating to HIV-infected individuals);'; and

(2) by adding at the end the following:

`(dd) HIV-infected individuals described in this subsection are individuals not described in subsection (a)(10)(A)(i)--

`(1) who have HIV infection;

`(2) whose income (as determined under the State plan under this title with respect to disabled individuals) does not exceed the maximum amount of income a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan; and

`(3) whose resources (as determined under the State plan under this title with respect to disabled individuals) do not exceed the maximum amount of resources a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan.'.

(b) Enhanced Match- The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by striking `section 1902(a)(10)(A)(ii)(XVIII)' and inserting `subclause (XVIII) or (XX) of section 1902(a)(10)(A)(ii)'.

(c) Conforming Amendments- Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)--

(1) by striking `or' at the end of clause (xii);

(2) by adding `or' at the end of clause (xiii); and

(3) by inserting after clause (xiii) the following:

`(xiv) individuals described in section 1902(dd);'.

(d) Exemption From Funding Limitation for Territories- Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended by adding at the end the following:

`(3) DISREGARDING MEDICAL ASSISTANCE FOR OPTIONAL LOW-INCOME HIV-INFECTED INDIVIDUALS- The limitations under subsection (f) and the previous provisions of this subsection shall not apply to amounts expended for medical assistance for individuals described in section 1902(dd) who are only eligible for such assistance on the basis of

section 1902(a)(10)(A)(ii)(XX).'

(e) Effective Date- The amendments made by this section shall apply to calendar quarters beginning on or after the date of the enactment of this Act, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

END

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