

AMENDMENT NO. _____ Calendar No. _____

Purpose: To remove barriers to health care and nutrition assistance for children, pregnant women, and lawfully present individuals.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the appropriate place, insert the following:

2 **SEC. __. REMOVING BARRIERS TO HEALTH CARE AND NU-**
 3 **TRITION ASSISTANCE FOR CHILDREN, PREG-**
 4 **NANT WOMEN, AND LAWFULLY PRESENT IN-**
 5 **DIVIDUALS.**

6 (a) MEDICAID.—Section 1903(v) of the Social Secu-
 7 rity Act (42 U.S.C. 1396b(v)) is amended by striking
 8 paragraph (4) and inserting the following new paragraph:

9 “(4)(A) Notwithstanding sections 401(a),
 10 402(b), 403, and 421 of the Personal Responsibility
 11 and Work Opportunity Reconciliation Act of 1996,

1 payment shall be made under this section for care
2 and services that are furnished to individuals, in-
3 cluding those described in paragraph (1), if they
4 otherwise meet the eligibility requirements for med-
5 ical assistance under the State plan approved under
6 this subchapter (other than the requirement of the
7 receipt of aid or assistance under title IV, supple-
8 mental security income benefits under title XVI, or
9 a State supplementary payment), and are—

10 “(i) lawfully present in the United
11 States;

12 “(ii) children under 21 years of age,
13 including any optional targeted low-income
14 child (as such term is defined in section
15 1905(u)(2)(B)); or

16 “(iii) pregnant women during preg-
17 nancy and during the 60-day period begin-
18 ning on the last day of the pregnancy.

19 “(B) No debt shall accrue under an affidavit of
20 support against any sponsor of such an alien on the
21 basis of provision of assistance to such alien under
22 this paragraph and the cost of such assistance shall
23 not be considered as an unreimbursed cost.”.

1 (b) SCHIP.—Section 2107(e)(1) of the Social Secu-
2 rity Act (42 U.S.C. 1397gg(e)(1)) is amended by amend-
3 ing subparagraph (J) to read as follows:

4 “(J) Paragraph (4) of section 1903(v) (re-
5 lating to individuals who, but for sections
6 401(a), 403, and 421 of the Personal Responsi-
7 bility and Work Opportunity Reconciliation Act
8 of 1996, would be eligible for medical assistance
9 under title XXI).”.

10 (c) SUPPLEMENTAL NUTRITION ASSISTANCE.—Not-
11 withstanding sections 401(a), 402(a), and 403(a) of the
12 Personal Responsibility and Work Opportunity Reconcili-
13 ation Act of 1996 (8 U.S.C. 1611(a); 1612(a); 1613(a))
14 and section 6(f) of the Food and Nutrition Act of 2008
15 (7 U.S.C. 2015(f)), persons who are lawfully present in
16 the United States shall not be ineligible for benefits under
17 the supplemental nutrition assistance program on the
18 basis of their immigration status or date of entry into the
19 United States.

20 (d) ELIGIBILITY FOR FAMILIES WITH CHILDREN.—
21 Section of the 421(d)(3) of the Personal Responsibility
22 and Work Opportunity Reconciliation Act of 1996 (8
23 U.S.C. 1631(d)(3)) is amended by striking “to the extent
24 that a qualified alien is eligible under section
25 402(a)(2)(J)” and inserting, “to the extent that a child

1 is a member of a household under the supplemental nutri-
2 tion assistance program”.

3 (e) ENSURING PROPER SCREENING.—Section
4 11(e)(2)(B) of the Food and Nutrition Act of 2008 (7
5 U.S.C. 2020(e)(2)(B)) is amended—

6 (1) by redesignating clauses (vi) and (vii) as
7 clauses (vii) and (viii); and

8 (2) by inserting after clause (v) the following:

9 “(vi) shall provide a method for imple-
10 menting section 421 of the Personal Re-
11 sponsibility and Work Opportunity Rec-
12 onciliation Act of 1996 (8 U.S.C. 1631)
13 that does not require any unnecessary in-
14 formation from persons who may be ex-
15 empt from that provision;”.

16 (f) REMOVING MEDICARE BARRIERS TO HEALTH
17 CARE.—

18 (1) PART A.—Section 1818(a)(3) of the Social
19 Security Act (42 U.S.C. 1395i–2(a)(3)) is amended
20 by striking “(B) an alien” and all that follows
21 through the comma and inserting “(B) an individual
22 who is lawfully present in the United States,”.

23 (2) PART B.—Section 1836(2) of the Social Se-
24 curity Act (42 U.S.C. 1395o(2)) is amended by
25 striking “(B) an alien” and all that follows through

1 the comma and inserting “(B) an individual who is
2 lawfully present in the United States,”.

3 (g) APPLICATION.—The amendments made by this
4 section shall be applied without regard to any other provi-
5 sion of this Act that purports to amend, repeal, override,
6 limit, or nullify the application of such amendments.