118TH CONGRESS 2D SESSION	S.			
To amend title XIX	of the Social Secur	rity Act to prohib	it 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	referre	ed
		to the Co	ommittee 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).".
24	SEC. 3. INSPECTOR GENERAL REPORT.
25	Not later than 180 days after the date of enactment
26	of this Act, the Inspector General of the Department of

- 1 Health and Human Services shall submit to Congress a
- 2 report that includes the following information with respect
- 3 to States that provide health benefits to noncitizens who
- 4 are ineligible on the basis of immigration status for med-
- 5 ical assistance under title XIX of the Social Security Act
- 6 (42 U.S.C. 1396 et seq.):

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- 7 (1) How such States separate amounts ex-8 pended on the administrative costs related to the 9 State's Medicaid program and amounts expended on 10 administrative costs related to providing health ben-11 effts 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 non-Federal share of expenditures under the State Med-

1	icaid program for medical assistance provided to in-
2	dividuals who are not so ineligible.
3	(4) An analysis of—
4	(A) the extent to which such noncitizens
5	are provided covered outpatient drugs pur-
6	chased under—
7	(i) the Medicaid Drug Rebate Pro-
8	gram under section 1927 of the Social Se-
9	curity Act (42 U.S.C. 1396r-8); or
10	(ii) the drug discount program under
11	section 340B of the Public Health Service
12	Act (42 U.S.C. 256b); and
13	(B) the effect that the provision to such
14	noncitizens of covered outpatient drugs pur-
15	chased under the programs described in sub-
16	paragraph (A) has on the average manufacturer
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 pro-
22	grams were provided to such noncitizens.
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