Economic Recov Medicaid
1-22-2009
Amend # 1 H
Defeated by r & vote 14-26

AMENDMENT TO COMMITTEE PRINT

OFFERED BY MR. Gingrey (on behalf of Mr Stearns)

Add at the end of section 5001(f) the following:

(7) STATE INELIGIBILITY FOR FAILURE TO SATISFY DOCUMENTATION REQUIREMENT.—

(A) IN GENERAL.—Subject to subparagraph (C), a State shall not be eligible for an increase in its FMAP under subsection (a), (b), or (c), or an increase in a cap amount under subsection (d), if the Secretary determines that any individual undergoing a determination (or redetermination) of the individual's eligibility for medical assistance under the State plan under title XIX of the Social Security Act does not submit satisfactory documentation of identity in accordance with section 5007.

(B) NOTIFICATION REQUIREMENT.—As soon as is feasible after the date the Secretary makes a determination under subparagraph (A), with respect to an individual not in compliance with section 5007, the Secretary shall provide notification to such individual and to the State involved.

(C) APPLICATION.—Subparagraph (A) shall apply to a State beginning on the date that is 30 days after the date on which the State receives a notification under subparagraph (B) and shall not apply if such State implements before the end of such 30-day period a corrective action plan that places all individuals described under subparagraph (A), with respect to such State, in compliance with section 5007.

Add at the end of title V the following:

SEC. 5007. DOCUMENTATION OF IDENTITY UNDER MEDICAID.

(a) IN GENERAL.—Notwithstanding any other provision of law, any individual undergoing a determination of the individual's eligibility for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) shall submit (or, in the case that the individual is a minor, a parent or guardian of such individual shall submit) satisfactory documentation of identity (as defined in subsection (c)) to obtain such medical assistance.

(b) SPECIAL RULE FOR REDETERMINATIONS.—Any individual who did not submit satisfactory documentation of identity during any previous determination or redetermination of their eligibility for such medical assistance

shall submit such documentation during the first redetermination of the individual's eligibility for such assistance that occurs on or after the effective date of this section.

(c) SATISFACTORY DOCUMENTATION OF IDENTITY DEFINED.—For purposes of this section, the term "satisfactory documentation of identity" means the following:

(1) Any identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act.

(2) Any other physical documentation of personal identity of such other type as the Secretary finds, by regulation, provides a reliable means of identification.

(d) EFFECTIVE DATE.—The provisions of this section shall apply to determinations and redeterminations occurring on or after July 1, 2009.

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