

110TH CONGRESS  
1ST SESSION

# H. R. \_\_\_\_\_

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP) and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. BARTON of Texas (for himself and Mr. DEAL of Georgia) introduced the following bill; which was referred to the Committee on

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## A BILL

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP) and for other purposes.

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 "SCHIP Extension Act  
5 of 2007".

6 **SEC. 2. EXTENSION OF SCHIP.**

7 Section 2104 of the Social Security Act (42 U.S.C.  
8 1397dd) is amended—

9 (1) in subsection (a)—

1 (A) by striking “and” at the end of para-  
2 graph (9);

3 (B) by striking the period at the end of  
4 paragraph (10) and inserting a semicolon; and

5 (C) by adding at the end the following new  
6 paragraph:

7 “(11) for fiscal year 2008, \$5,000,000,000; and

8 “(12) for the first 6 months of fiscal year 2009,  
9 \$2,500,000,000.”; and

10 (2) in subsection (c)(4)(B), by striking “and  
11 \$40,000,000 for fiscal year 2007” and inserting  
12 “\$40,000,000 for each of fiscal years 2007 and  
13 2008, and \$20,000,000 for the first 6 months of fis-  
14 cal year 2009”.

15 **SEC. 3. ADDITIONAL ALLOTMENTS TO ADDRESS SCHIP**  
16 **FUNDING SHORTFALLS FOR FISCAL YEAR**  
17 **2008 AND FIRST 6 MONTHS OF FISCAL YEAR**  
18 **2009.**

19 Section 2104 of the Social Security Act (42 U.S.C.  
20 1397dd) is amended by adding at the end the following  
21 new subsection:

22 “(i) AMOUNTS TO ELIMINATE FUNDING SHORT-  
23 FALLS FOR FISCAL YEAR 2008 AND FIRST 6 MONTHS OF  
24 FISCAL YEAR 2009.—

1           “(1) IN GENERAL.—From the amounts appro-  
2           priated under paragraph (4) for a shortfall period  
3           (as defined in paragraph (5)), the Secretary shall  
4           allot to each shortfall State described in paragraph  
5           (2) for such period such amount as the Secretary  
6           determines will eliminate the estimated shortfall de-  
7           scribed in paragraph (2) for the State for the short-  
8           fall period.

9           “(2) SHORTFALL STATE DESCRIBED.—For pur-  
10          poses of paragraph (1), a shortfall State described  
11          in this paragraph for a shortfall period is a State  
12          with a State child health plan approved under this  
13          title for which the Secretary estimates, on the basis  
14          of the most recent data available to the Secretary as  
15          of a date (specified by the Secretary) during the  
16          shortfall period, that the projected Federal expendi-  
17          tures under such plan for the State for the shortfall  
18          period will exceed the sum of—

19                 “(A) the amount of the State’s allotments  
20                 for the two fiscal years ending before the short-  
21                 fall period that will not be expended by the end  
22                 of the more recent such fiscal year;

23                 “(B) the amount of the State’s allotment  
24                 for the shortfall period; and

1           “(C) the amounts, if any, that are to be re-  
2           distributed to the State during the shortfall pe-  
3           riod in accordance with subsection (f).

4           “(3) PRORATION RULE.—If the amount avail-  
5           able under paragraph (4) for a shortfall period is  
6           less than the total amount of the estimated short-  
7           falls determined by the Secretary under paragraph  
8           (1) for such period, the amount of the estimated  
9           shortfall for each shortfall State determined under  
10          such paragraph for such period shall be reduced pro-  
11          portionally.

12          “(4) APPROPRIATION; ALLOTMENT AUTHOR-  
13          ITY.—For the purpose of providing additional allot-  
14          ments to shortfall States under this subsection—

15                 “(A) FISCAL YEAR 2008.—For the shortfall  
16                 period specified in paragraph (5)(A), there is  
17                 appropriated, out of any funds in the Treasury  
18                 not otherwise appropriated, such sums as are  
19                 necessary for such fiscal year, but not to exceed  
20                 \$1,500,000,000.

21                 “(B) FIRST 6 MONTHS OF FISCAL YEAR  
22                 2009.—For the shortfall period specified in  
23                 paragraph (5)(B), there is appropriated, out of  
24                 any funds in the Treasury not otherwise appro-

1           priated, such sums as are necessary for such  
2           period, but not to exceed \$1,100,000,000.

3           “(5) SHORTFALL PERIODS SPECIFIED.—For  
4           purposes of this subsection, each of the following is  
5           a ‘shortfall period’:

6                     “(A) Fiscal year 2008.

7                     “(B) The first 6 months of fiscal year  
8                     2009.”.

9   **SEC. 4. OPTION FOR QUALIFYING STATES TO RECEIVE THE**  
10                   **ENHANCED PORTION OF THE SCHIP MATCH-**  
11                   **ING RATE FOR MEDICAID COVERAGE OF CER-**  
12                   **TAIN CHILDREN.**

13           Section 2105(g) of the Social Security Act (42 U.S.C.  
14   1397ee(g)) is amended—

15                   (1) in paragraph (1)(A), by inserting “subject  
16                   to paragraph (4),” after “Notwithstanding any other  
17                   provision of law,”; and

18                   (2) by adding at the end the following new  
19                   paragraph:

20                   “(4) OPTION FOR ALLOTMENTS.—

21                             “(A) PAYMENT OF ENHANCED PORTION OF  
22                             MATCHING RATE FOR CERTAIN EXPENDI-  
23                             TURES.—In the case of expenditures described  
24                             in subparagraph (B), a qualifying State (as de-  
25                             fined in paragraph (2)) may elect to be paid

1 from the State's allotment made under section  
2 2104 for any fiscal year (beginning with fiscal  
3 year 2008) (insofar as the allotment is available  
4 to the State under subsections (e) and (i) of  
5 such section) an amount each quarter equal to  
6 the additional amount that would have been  
7 paid to the State under title XIX with respect  
8 to such expenditures if the enhanced FMAP (as  
9 determined under subsection (b)) had been sub-  
10 stituted for the Federal medical assistance per-  
11 centage (as defined in section 1905(b)).

12 “(B) EXPENDITURES DESCRIBED.—For  
13 purposes of subparagraph (A), the expenditures  
14 described in this subparagraph are expenditures  
15 made after the date of the enactment of this  
16 paragraph and during the period in which funds  
17 are available to the qualifying State for use  
18 under subparagraph (A), for the provision of  
19 medical assistance to individuals residing in the  
20 State who are eligible for medical assistance  
21 under the State plan under title XIX or under  
22 a waiver of such plan and who have not at-  
23 tained age 19, and whose family income equals  
24 or exceeds 133 percent of the poverty line but

1           does not exceed the Medicaid applicable income  
2           level.”.