

Marsha Blackburn

AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit Federal financial participation under Medicaid and CHIP for individuals without verified citizenship, nationality, or satisfactory immigration status.

IN THE SENATE OF THE UNITED STATES _____ st Sess.

AMENDMENT N^o 2401	
By	<i>Blackburn</i>
To	<i>amdt. No. 2360</i>
Re	<i>7</i>
Page(s)	
<small>GPO: 2024 57-806 (mac)</small>	

AMENDMENT intended to be proposed by Mrs. BLACKBURN to the amendment (No. 2360) proposed by Mr. GRAHAM

Viz:

- 1 At the appropriate place, insert the following:
- 2 **SEC. ____ . PROHIBITING FEDERAL FINANCIAL PARTICIPA-**
- 3 **TION UNDER MEDICAID AND CHIP FOR INDIV-**
- 4 **IDUALS WITHOUT VERIFIED CITIZENSHIP,**
- 5 **NATIONALITY, OR SATISFACTORY IMMIGRA-**
- 6 **TION STATUS.**

7 (a) IN GENERAL.—

8 (1) MEDICAID.—Section 1903(i)(22) of the So-
 9 cial Security Act (42 U.S.C. 1396b(i)(22)) is amend-
 10 ed—

11 (A) by adding “and” at the end;

1 (B) by striking “to amounts” and inserting

2 “to— “

3 “(A) amounts”; and

4 (C) by adding at the end the following new
5 subparagraph:

6 “(B) in the case that the State elects
7 under section 1902(a)(46)(C) to provide for
8 making medical assistance available to an indi-
9 vidual during—

10 “(i) the period in which the individual
11 is provided the reasonable opportunity to
12 present satisfactory documentary evidence
13 of citizenship or nationality under section
14 1902(ee)(2)(C) or subsection (x)(4);

15 “(ii) the 90-day period described in
16 section 1902(ee)(1)(B)(ii)(II); or

17 “(iii) the period in which the indi-
18 vidual is provided the reasonable oppor-
19 tunity to submit evidence indicating a sat-
20 isfactory immigration status under section
21 1137(d)(4),

22 amounts expended for such medical assistance,
23 unless the citizenship or nationality of such in-
24 dividual or the satisfactory immigration status

1 of such individual (as applicable) is verified by
2 the end of such period;”.

3 (2) CHIP.—Section 2107(e)(1)(O) of the Social
4 Security Act (42 U.S.C. 1397gg(e)(1)(O)), as redes-
5 ignated by section 71103(b)(1)(A), is amended by
6 striking “and (17)” and inserting “(17), and (22)”.

7 (b) ELIMINATING STATE REQUIREMENT TO PROVIDE
8 MEDICAL ASSISTANCE DURING REASONABLE OPPOR-
9 TUNITY PERIOD.—

10 (1) DOCUMENTARY EVIDENCE OF CITIZENSHIP
11 OR NATIONALITY.—Section 1903(x)(4) of the Social
12 Security Act (42 U.S.C. 1396b(x)) is amended—

13 (A) by striking “under clauses (i) and (ii)
14 of section 1137(d)(4)(A)” and inserting “under
15 section 1137(d)(4)”;

16 (B) by inserting “, except that the State
17 shall not be required to make medical assist-
18 ance available to such individual during the pe-
19 riod in which such individual is provided such
20 reasonable opportunity if the State has not
21 elected the option under section
22 1902(a)(46)(C)” before the period at the end.

23 (2) SOCIAL SECURITY DATA MATCH.—Section
24 1902(ee) of the Social Security Act (42 U.S.C.
25 1396a(ee)) is amended—

1 (A) in paragraph (1)(B)(ii)—

2 (i) in subclause (II), by striking “(and
3 continues to provide the individual with
4 medical assistance during such 90-day pe-
5 riod)” and inserting “and, if the State has
6 elected the option under subsection
7 (a)(46)(C), continues to provide the indi-
8 vidual with medical assistance during such
9 90-day period”; and

10 (ii) in subclause (III), by inserting “,
11 or denies eligibility for medical assistance
12 under this title for such individual, as ap-
13 plicable” after “under this title”; and

14 (B) in paragraph (2)(C)—

15 (i) by striking “under clauses (i) and
16 (ii) of section 1137(d)(4)(A)” and insert-
17 ing “under section 1137(d)(4)”; and

18 (ii) by inserting “, except that the
19 State shall not be required to make med-
20 ical assistance available to such individual
21 during the period in which such individual
22 is provided such reasonable opportunity if
23 the State has not elected the option under
24 section 1902(a)(46)(C)” before the period
25 at the end.

1 (3) INDIVIDUALS WITH SATISFACTORY IMMI-
2 GRATION STATUS.—Section 1137(d)(4) of the Social
3 Security Act (42 U.S.C. 1320b–7(d)(4)) is amend-
4 ed—

5 (A) in subparagraph (A)(ii), by inserting
6 “(except that such prohibition on delay, denial,
7 reduction, or termination of eligibility for bene-
8 fits under the Medicaid program under title
9 XIX shall apply only if the State has elected
10 the option under section 1902(a)(46)(C))” after
11 “has been provided”; and

12 (B) in subparagraph (B)(ii), by inserting
13 “(except that such prohibition on delay, denial,
14 reduction, or termination of eligibility for bene-
15 fits under the Medicaid program under title
16 XIX shall apply only if the State has elected
17 the option under section 1902(a)(46)(C))” after
18 “status”.

19 (c) OPTION TO CONTINUE PROVIDING MEDICAL AS-
20 SISTANCE DURING REASONABLE OPPORTUNITY PE-
21 RIOD.—

22 (1) MEDICAID.—Section 1902(a)(46) of the So-
23 cial Security Act (42 U.S.C. 1396a(a)(46)) is
24 amended—

1 (A) in subparagraph (A), by striking
2 “and” at the end;

3 (B) in subparagraph (B)(ii), by adding
4 “and” at the end; and

5 (C) by inserting after subparagraph (B)(ii)
6 the following new subparagraph:

7 “(C) provide, at the option of the State, for
8 making medical assistance available—

9 “(i) to an individual described in subpara-
10 graph (B) during the period in which such indi-
11 vidual is provided the reasonable opportunity to
12 present satisfactory documentary evidence of
13 citizenship or nationality under subsection
14 (ee)(2)(C) or section 1903(x)(4), or during the
15 90-day period described in subsection
16 (ee)(1)(B)(ii)(II); or

17 “(ii) to an individual who is not a citizen
18 or national of the United States during the pe-
19 riod in which such individual is provided the
20 reasonable opportunity to submit evidence indi-
21 cating a satisfactory immigration status under
22 section 1137(d)(4);”.

23 (2) CHIP.—Section 2105(c)(9) of the Social
24 Security Act (42 U.S.C. 1397ee(c)(9)) is amended

1 by adding at the end the following new subpara-
2 graph:

3 “(C) OPTION TO CONTINUE PROVIDING
4 CHILD HEALTH ASSISTANCE DURING REASON-
5 ABLE OPPORTUNITY PERIOD.—Section
6 1902(a)(46)(C) shall apply to States under this
7 title in the same manner as it applies to a State
8 under title XIX.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply beginning on October 1, 2026.