

118TH CONGRESS
2D SESSION

H. R. 8108

To amend title XIX of the Social Security Act to add a Medicaid State plan requirement with respect to the determination of residency of certain individuals serving in the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2024

Mrs. KIGGANS of Virginia (for herself and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to add a Medicaid State plan requirement with respect to the determination of residency of certain individuals serving in the Armed Forces.

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. MEDICAID STATE PLAN REQUIREMENT FOR DE-**
4 **TERMINING RESIDENCY OF MILITARY FAMI-**
5 **LIES.**

6 Section 1902(a) of the Social Security Act (42 U.S.C.
7 1396a(a)) is amended—

1 (1) in paragraph (86), by striking “and” at the
2 end;

3 (2) in paragraph (87), by striking the period at
4 the end and inserting “; and”; and

5 (3) by inserting after paragraph (87) the fol-
6 lowing new paragraph:

7 “(88) beginning January 1, 2028, provide that
8 in determining eligibility for medical assistance
9 under the State plan (or waiver of such plan) for an
10 individual (or dependent of such individual) who is
11 a member of the Armed Forces serving on active
12 duty and is, by reason of such service, temporarily
13 relocated to a State other than such State, if such
14 individual (or dependent) remains a legal resident of
15 such State and was, at the time of the relocation, re-
16 ceiving home and community-based services de-
17 scribed in section 9817(a)(2)(B) of the American
18 Rescue Plan Act of 2021, the State shall deem such
19 individual (or dependent) to be a resident of such
20 State for purposes of this title.”.

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