

115TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To extend funding for the Children’s Health Insurance Program, and for  
other purposes

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IN THE SENATE OF THE UNITED STATES

Mr. HATCH (for himself and Mr. WYDEN) introduced the following bill; which  
was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To extend funding for the Children’s Health Insurance  
Program, 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 “Keep Kids’ Insurance  
5 Dependable and Secure Act of 2017” or the “KIDS Act  
6 of 2017”.

1 **SEC. 2. FIVE-YEAR FUNDING EXTENSION OF THE CHIL-**  
2 **DREN'S HEALTH INSURANCE PROGRAM.**

3 (a) APPROPRIATION; TOTAL ALLOTMENT.—Section  
4 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a))  
5 is amended—

6 (1) in paragraph (19), by striking “and”;

7 (2) in paragraph (20), by striking the period at  
8 the end and inserting a semicolon; and

9 (3) by adding at the end the following new  
10 paragraphs:

11 “(21) for fiscal year 2018, \$21,500,000,000;

12 “(22) for fiscal year 2019, \$22,600,000,000;

13 “(23) for fiscal year 2020, \$23,700,000,000;

14 “(24) for fiscal year 2021, \$24,800,000,000;

15 and

16 “(25) for fiscal year 2022, for purposes of mak-  
17 ing 2 semi-annual allotments—

18 “(A) \$2,850,000,000 for the period begin-  
19 ning on October 1, 2021, and ending on March  
20 31, 2022; and

21 “(B) \$2,850,000,000 for the period begin-  
22 ning on April 1, 2022, and ending on Sep-  
23 tember 30, 2022.”.

24 (b) ALLOTMENTS.—

1           (1) IN GENERAL.—Section 2104(m) of the So-  
2           cial Security Act (42 U.S.C. 1397dd(m)) is amend-  
3           ed—

4                   (A) in paragraph (2)—

5                           (i) in the heading, by striking  
6                           “THROUGH 2016” and inserting  
7                           “THROUGH 2022”; and

8                           (ii) in subparagraph (B)—

9                                   (I) in the matter preceding clause  
10                                   (i), by striking “(19)” and inserting  
11                                   “(24)”;

12                                   (II) in clause (ii), in the matter  
13                                   preceding subclause (I), by inserting  
14                                   “(other than fiscal year 2022)” after  
15                                   “even-numbered fiscal year”; and

16                                   (III) in clause (ii)(I), by inserting  
17                                   “(or, in the case of fiscal year 2018,  
18                                   under paragraph (4))” after “clause  
19                                   (i)”;

20                   (B) in paragraph (5)—

21                           (i) by striking “or (4)” and inserting  
22                           “(4), or (10)”;

23                           (ii) by striking “or 2017” and insert-  
24                           ing “, 2017, or 2022”;

25                   (C) in paragraph (7)—

1 (i) in subparagraph (A), by striking  
2 “2017” and inserting “2022”; and

3 (ii) in the matter following subpara-  
4 graph (B)(ii), by striking “or fiscal year  
5 2016” and inserting “fiscal year 2016, fis-  
6 cal year 2018, fiscal year 2020, or fiscal  
7 year 2022”;

8 (D) in paragraph (9)—

9 (i) in the heading, by striking “FISCAL  
10 YEARS 2015 AND 2017” and inserting  
11 “CERTAIN FISCAL YEARS”;

12 (ii) by striking “or (4)” and inserting  
13 “, (4), or (10)”;

14 (iii) by striking “or fiscal year 2017”  
15 and inserting “, 2017, or 2022”;

16 (E) by adding at the end the following new  
17 paragraph:

18 “(10) FOR FISCAL YEAR 2022.—

19 “(A) FIRST HALF.—Subject to paragraphs  
20 (5) and (7), from the amount made available  
21 under subparagraph (A) of paragraph (25) of  
22 subsection (a) for the semi-annual period de-  
23 scribed in such subparagraph, increased by the  
24 amount of the appropriation for such period  
25 under section 2(b)(3) of the KIDS Act of 2017,

1 the Secretary shall compute a State allotment  
2 for each State (including the District of Colum-  
3 bia and each commonwealth and territory) for  
4 such semi-annual period in an amount equal to  
5 the first half ratio (described in subparagraph  
6 (D)) of the amount described in subparagraph  
7 (C).

8 “(B) SECOND HALF.—Subject to para-  
9 graphs (5) and (7), from the amount made  
10 available under subparagraph (B) of paragraph  
11 (25) of subsection (a) for the semi-annual pe-  
12 riod described in such subparagraph, the Sec-  
13 retary shall compute a State allotment for each  
14 State (including the District of Columbia and  
15 each commonwealth and territory) for such  
16 semi-annual period in an amount equal to the  
17 amount made available under such subpara-  
18 graph, multiplied by the ratio of—

19 “(i) the amount of the allotment to  
20 such State under subparagraph (A); to

21 “(ii) the total of the amount of all of  
22 the allotments made available under such  
23 subparagraph.

24 “(C) FULL YEAR AMOUNT BASED ON  
25 GROWTH FACTOR UPDATED AMOUNT.—The

1 amount described in this subparagraph for a  
2 State is equal to the sum of—

3 “(i) the amount of the State allotment  
4 for fiscal year 2021 determined under  
5 paragraph (2)(B)(i); and

6 “(ii) the amount of any payments  
7 made to the State under subsection (n) for  
8 fiscal year 2021,  
9 multiplied by the allotment increase factor  
10 under paragraph (6) for fiscal year 2022.

11 “(D) FIRST HALF RATIO.—The first half  
12 ratio described in this subparagraph is the ratio  
13 of—

14 “(i) the sum of—

15 “(I) the amount made available  
16 under subsection (a)(25)(A); and

17 “(II) the amount of the appro-  
18 priation for such period under section  
19 2(b)(3) of the KIDS Act of 2017; to

20 “(ii) the sum of—

21 “(I) the amount described in  
22 clause (i); and

23 “(II) the amount made available  
24 under subsection (a)(25)(B).”.

1           (2)       TECHNICAL        AMENDMENT.—Section  
2       2104(m)(2)(A)   of   such   Act   (42   U.S.C.  
3       1397dd(m)(2)(A)) is amended by striking “the allot-  
4       ment increase factor under paragraph (5)” each  
5       place it appears and inserting “the allotment in-  
6       crease factor under paragraph (6)”.

7           (3)       ONE-TIME   APPROPRIATION   FOR   FISCAL  
8       YEAR 2022.—There is appropriated to the Secretary  
9       of Health and Human Services, out of any money in  
10      the Treasury not otherwise appropriated,  
11      \$20,200,000,000 to accompany the allotment made  
12      for the period beginning on October 1, 2021, and  
13      ending on March 31, 2022, under paragraph  
14      (25)(A) of section 2104(a) of the Social Security Act  
15      (42 U.S.C. 1397dd(a)) (as added by subsection  
16      (a)(3)), to remain available until expended. Such  
17      amount shall be used to provide allotments to States  
18      under paragraph (10) of section 2104(m) of such  
19      Act (as added by subsection (b)(1)(E)) for the first  
20      6 months of fiscal year 2022 in the same manner as  
21      allotments are provided under subsection (a)(25)(A)  
22      of such section 2104 and subject to the same terms  
23      and conditions as apply to the allotments provided  
24      from such subsection (a)(25)(A).

1           (c) EXTENSION OF THE CHILD ENROLLMENT CON-  
2 TINGENCY FUND.—Section 2104(n) of the Social Security  
3 Act (42 U.S.C. 1397dd(n)) is amended—

4           (1) in paragraph (2)—

5               (A) in subparagraph (A)(ii)—

6                   (i) by striking “2010, 2011, 2012,  
7                   2013, 2014, and 2016” and inserting  
8                   “2010 through 2014, 2016, and 2018  
9                   through 2021”; and

10               (ii) by striking “fiscal year 2015 and  
11               fiscal year 2017” and inserting “fiscal  
12               years 2015, 2017, and 2022”; and

13               (B) in subparagraph (B)—

14                   (i) by striking “2010, 2011, 2012,  
15                   2013, 2014, and 2016” and inserting  
16                   “2010 through 2014, 2016, and 2018  
17                   through 2021”; and

18                   (ii) by striking “fiscal year 2015 and  
19                   fiscal year 2017” and inserting “fiscal year  
20                   2015, 2017, and 2022”; and

21           (2) in paragraph (3)(A), in the matter pre-  
22           ceding clause (i), by striking “or a semi-annual allot-  
23           ment period for fiscal year 2015 or 2017” and in-  
24           serting “or in any of fiscal years 2018 through 2021

1 (or a semi-annual allotment period for fiscal year  
2 2015, 2017, or 2022)”.

3 (d) EXTENSION OF QUALIFYING STATES OPTION.—  
4 Section 2105(g)(4) of the Social Security Act (42 U.S.C.  
5 1397ee(g)(4)) is amended—

6 (1) in the heading, by striking “THROUGH  
7 2017” and inserting “THROUGH 2022”; and

8 (2) in subparagraph (A), by striking “2017”  
9 and inserting “2022”.

10 (e) EXTENSION OF EXPRESS LANE ELIGIBILITY OP-  
11 TION.—Section 1902(e)(13)(I) of the Social Security Act  
12 (42 U.S.C. 1396a(e)(13)(I)) is amended by striking  
13 “2017” and inserting “2022”.

14 (f) ASSURANCE OF AFFORDABILITY STANDARD FOR  
15 CHILDREN AND FAMILIES.—

16 (1) IN GENERAL.—Section 2105(d)(3) of the  
17 Social Security Act (42 U.S.C. 1397ee(d)(3)) is  
18 amended—

19 (A) in the paragraph heading, by striking  
20 “UNTIL OCTOBER 1, 2019” and inserting  
21 “THROUGH SEPTEMBER 30, 2022”; and

22 (B) in subparagraph (A), in the matter  
23 preceding clause (i)—

24 (i) by striking “2019” and inserting  
25 “2022”; and

1 (ii) by striking “The preceding sen-  
2 tence shall not be construed as preventing  
3 a State during such period” and inserting  
4 “During the period that begins on October  
5 1, 2019, and ends on September 30, 2022,  
6 the preceding sentence shall only apply  
7 with respect to children in families whose  
8 income does not exceed 300 percent of the  
9 poverty line (as defined in section  
10 2110(c)(5)) applicable to a family of the  
11 size involved. The preceding sentences shall  
12 not be construed as preventing a State  
13 during any such periods”.

14 (2) CONFORMING AMENDMENTS.—Section  
15 1902(gg)(2) of the Social Security Act (42 U.S.C.  
16 1396a(gg)(2)) is amended—

17 (A) in the paragraph heading, by striking  
18 “UNTIL OCTOBER 1, 2019” and inserting  
19 “THROUGH SEPTEMBER 30, 2022”; and

20 (B) by striking “September 30, 2019,”  
21 and inserting “September 30, 2022 (but during  
22 the period that begins on October 1, 2019, and  
23 ends on September 30, 2022, only with respect  
24 to children in families whose income does not  
25 exceed 300 percent of the poverty line (as de-

1            fined in section 2110(c)(5)) applicable to a fam-  
2            ily of the size involved”).

3 **SEC. 3. EXTENSION OF CERTAIN PROGRAMS AND DEM-**  
4 **ONSTRATION PROJECTS.**

5            (a) CHILDHOOD OBESITY DEMONSTRATION  
6 PROJECT.—Section 1139A(e)(8) of the Social Security  
7 Act (42 U.S.C. 1320b–9a(e)(8)) is amended—

8            (1) by striking “and \$10,000,000” and insert-  
9            ing “, \$10,000,000”; and

10            (2) by inserting after “2017” the following: “,  
11            and \$25,000,000 for the period of fiscal years 2018  
12            through 2022”.

13            (b) PEDIATRIC QUALITY MEASURES PROGRAM.—  
14 Section 1139A(i) of the Social Security Act (42 U.S.C.  
15 1320b–9a(i)) is amended—

16            (1) by striking “Out of any” and inserting the  
17            following:

18            “(1) IN GENERAL.—Out of any”;

19            (2) by striking “there is appropriated for each”  
20            and inserting “there is appropriated—

21            “(A) for each”;

22            (3) by striking “, and there is appropriated for  
23            the period” and inserting “;

24            “(B) for the period”;

1           (4) by striking “. Funds appropriated under  
2 this subsection shall remain available until ex-  
3 pended” ; and inserting “; and”; and

4           (5) by adding at the end the following:

5                   “(C) for the period of fiscal years 2018  
6 through 2022, \$75,000,000 for the purpose of  
7 carrying out this section (other than sub-  
8 sections(e), (f), and (g)).

9           “(2) AVAILABILITY.—Funds appropriated  
10 under this subsection shall remain available until ex-  
11 pended.”.

12 **SEC. 4. EXTENSION OF OUTREACH AND ENROLLMENT PRO-**  
13 **GRAM.**

14           Section 2113 of the Social Security Act (42 U.S.C.  
15 1397mm) is amended—

16           (1) in subsection (a)(1), by striking “2017” and  
17 inserting “2022”; and

18           (2) in subsection (g)—

19                   (A) by striking “and \$40,000,000” and in-  
20 serting “, \$40,000,000”; and

21                   (B) by inserting after “2017” the fol-  
22 lowing: “, and \$100,000,000 for the period of  
23 fiscal years 2018 through 2022”.

1 **SEC. 5. EXTENSION AND REDUCTION OF ADDITIONAL FED-**  
2 **ERAL FINANCIAL PARTICIPATION FOR CHIP.**

3 Section 2105(b) of the Social Security Act (42 U.S.C.  
4 1397ee(b)) is amended in the second sentence by inserting  
5 “and during the period that begins on October 1, 2019,  
6 and ends on September 30, 2020, the enhanced FMAP  
7 determined for a State for a fiscal year (or for any portion  
8 of a fiscal year occurring during such period) shall be in-  
9 creased by 11.5 percentage points” after “23 percentage  
10 points,”.