

110TH CONGRESS  
1ST SESSION

# S. 2049

To prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP).

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2007

Mr. KENNEDY (for himself, Mr. SMITH, Mr. ROCKEFELLER, Ms. SNOWE, Mr. MENENDEZ, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP).

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REVOCATION OF POLICIES TO PROHIBIT**  
 2 **STATES FROM PROVIDING QUALITY HEALTH**  
 3 **COVERAGE TO CHILDREN IN NEED UNDER**  
 4 **THE STATE CHILDREN'S HEALTH INSURANCE**  
 5 **PROGRAM (SCHIP).**

6 (a) NULLIFICATION OF AUGUST 17, 2007, REQUIRE-  
 7 MENTS.—The August 17, 2007, letter to State Health Of-  
 8 ficials from the Director of the Center for Medicaid and  
 9 State Operations in the Centers for Medicare & Medicaid  
 10 Services to such officials requiring States that have estab-  
 11 lished or that expand the income eligibility level for chil-  
 12 dren under the State Children's Health Insurance Pro-  
 13 gram (SCHIP) above 250 percent of the Federal poverty  
 14 level to comply with new requirements as a condition of  
 15 covering such children, is null and void and shall not be  
 16 applied.

17 (b) PROHIBITION OF SIMILAR PROVISIONS.—The  
 18 Secretary of Health and Human Services shall not pro-  
 19 mulgate or implement any requirement, rule, or provision  
 20 that is similar to any requirement in the August 17, 2007,  
 21 letter described in subsection (a) and shall not apply any  
 22 such requirement or any similar requirement to any State  
 23 plan amendment or waiver expanding the income eligibility  
 24 level for children in SCHIP.

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