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AMENDMENT TO H.R. 2, AS  
REPORTED

OFFERED BY Mr. Shadegg

[Amendment is to Children's Health Insurance Program  
Reauthorization Act of 2009]

Insert at the appropriate place the following:

1 SEC. \_\_\_\_ . LIMITATION FOR CHIP OR MEDICAID COV-  
2 ERAGE FOR INDIVIDUALS WITH INCOME  
3 ABOVE 200 PERCENT OF THE FEDERAL POV-  
4 ERTY LINE.

5 (a) IN GENERAL.—Federal financial participation  
6 shall not be provided under section 1903 or section 2105  
7 of the Social Security Act (42 U.S.C. 1396b, 1397ee) to  
8 a State (as defined for purposes of such sections) with  
9 respect to medical assistance or child health assistance,  
10 respectively, for an individual with gross family income (as  
11 defined in subsection (b)) that exceeds 200 percent of the  
12 poverty line (as defined in section 2110(b)(5) of such Act)  
13 for a family of the size involved, unless—

14 (1) the State provides the individual with such  
15 assistance through premium assistance for the pur-  
16 chase of coverage of the individual under a group

1 health plan (as defined in section 2210(e)(2) of such  
2 Act); or

3 (2) there has been executed (by the individual,  
4 or in the case that the individual who is a minor, by  
5 a parent or guardian of such individual) an attesta-  
6 tion (under penalty of perjury) that the individual is  
7 not eligible for coverage under any group health plan  
8 (as so defined).

9 (b) GROSS FAMILY INCOME DEFINED.—

10 (1) IN GENERAL.—Subject to paragraph (2), in  
11 this paragraph, the term “gross family income”  
12 means, with respect to an individual, gross income  
13 (as defined by the Secretary in regulations) for the  
14 members of the individual’s family. For purposes of  
15 the previous sentence, in defining “gross income”  
16 the Secretary shall, to the maximum extent prac-  
17 ticable, include income from whatever source, other  
18 than amounts deducted under section 62(a)(1) of  
19 the Internal Revenue Code of 1986.

20 (2) INCOME DISREGARDS AUTHORIZED.—A  
21 State may provide, through a State plan amendment  
22 and with the approval of the Secretary, for the dis-  
23 regard from gross family income of one or more  
24 amounts so long as the total amount of such dis-

1        regards for a family does not exceed \$250 per  
2        month, or \$3,000 per year.

3        (c) EFFECTIVE DATE.—This section shall apply to  
4 individuals with respect to determinations, and redeter-  
5 minations, of their eligibility for medical assistance or  
6 child health assistance are made on or after October 1,  
7 2009.

