111TH CONGRESS
1ST SESSION

H. R. 4047

To use historical averages to calculate the Federal Medical Assistance
Percentage for disaster affected States for purposes of the Medicaid Program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2009

Mr. CAO (for himself, Mr. SCALISE, Mr. ALEXANDER, Mr. CASSIDY, Mr. SES-
SIONS, Mr. MICA, and Mr. BOUSTANY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To use historical averages to calculate the Federal Medical
Assistance Percentage for disaster affected States for
purposes of the Medicaid Program.

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. FMAP CALCULATION FOR DISASTER-AFFECTED**

4 **STATES.**

5 (a) IN GENERAL.—With respect to a State, for pur-

6 poses of calculating the Federal Medical Assistance Per-

7 centage for a State under section 1905(b) of the Social

8 Security Act, the Secretary shall substitute the average

9 historical per capita income for such State for a year in

1 any instance for which the Secretary, without regard to

2 this section, would use the per capita income for such

3 State for such year if—

4   (1) in such year, the per capita income for a

5   State exceeds the average historical per capita in-

6   come by at least 8 percent; and

7   (2) during such year or any of the 2 previous

8   years, a major disaster was declared in such State

9   by the President under the Robert T. Stafford Dis-

10   aster Relief and Emergency Assistance Act (42

11   U.S.C. 5121 et seq.).

12   (b) AVERAGE HISTORICAL PER CAPITA INCOME DE-

13 FINED.—For purposes of this section, the term "average

14 historical per capita income" means, with respect to a

15 State, the average annual per capita income for the period

16 beginning with the first year in which the Federal Medical

17 Assistance Percentage was calculated for such State under

18 section 1905(b) of the Social Security Act and ending with

19 the year prior to the year during which the average histor-

20 ical per capita income is applied under subsection (a).

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