

JANUARY 16, 2018

RULES COMMITTEE PRINT 115-55
TEXT OF EXTENSION OF CONTINUING
APPROPRIATIONS ACT, 2018

[Showing the text of H.J. Res. 125, as introduced]

In lieu of the matter proposed to be inserted by the Senate, insert the following:

1 DIVISION B—EXTENSION OF CONTINUING
2 APPROPRIATIONS ACT, 2018

3 SEC. 2001. The Continuing Appropriations Act, 2018
4 (division D of Public Law 115-56) is amended—

5 (1) by striking the date specified in section
6 106(3) and inserting “February 16, 2018”; and

7 (2) by adding after section 147 the following:

8 “SEC. 148. Funds appropriated by the Department
9 of Defense Missile Defeat and Defense Enhancements Ap-
10 propriations Act, 2018 (division B of Public Law 115-96)
11 may be obligated and expended notwithstanding section
12 504(a)(1) of the National Security Act of 1947 (50 U.S.C.
13 3094(a)(1)).

14 “SEC. 149. Amounts made available by section 101
15 for ‘Department of Agriculture—Food and Nutrition
16 Service—Child Nutrition Programs’ to carry out section

1 749(g) of the Agriculture Appropriations Act of 2010
2 (Public Law 111-80) may be apportioned up to the rate
3 for operations necessary to ensure that the program can
4 be fully operational by May 2018.

5 “SEC. 150. Amounts made available by section 101
6 for ‘National Aeronautics and Space Administration—Ex-
7 ploration’ may be apportioned up to the rate for oper-
8 ations necessary to maintain the planned launch capability
9 schedules for the Space Launch System launch vehicle,
10 Exploration Ground Systems, and Orion Multi-Purpose
11 Crew Vehicle programs.

12 “SEC. 151. Amounts made available by section 101
13 for ‘Department of Energy—Energy Programs—Office of
14 the Inspector General’ may be apportioned up to the rate
15 for operations necessary to sustain staffing levels achieved
16 on June 30, 2017.

17 “SEC. 152. Amounts made available by section 101
18 for ‘Small Business Administration—Business Loans Pro-
19 gram Account’ may be apportioned up to the rate for oper-
20 ations necessary to accommodate increased demand for
21 commitments for general business loans authorized under
22 section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

23 “SEC. 153. For 2018, the Secretary of Housing and
24 Urban Development may make temporary adjustments to
25 the Section 8 housing choice voucher annual renewal fund-

1 ing allocations and administrative fee eligibility determina-
2 tions for public housing agencies in an area for which the
3 President declared a disaster in 2017 or 2018 under title
4 IV of the Robert T. Stafford Disaster Relief and Emer-
5 gency Assistance Act (42 U.S.C. 5170 et seq.), to avoid
6 significant adverse funding impacts that would otherwise
7 result from the disaster and that would otherwise prevent
8 a public housing agency from leasing up to its authorized
9 level of units under contract (but not to exceed such level),
10 upon request by and in consultation with a public housing
11 agency and supported by documentation as required by
12 the Secretary that demonstrates the need for the adjust-
13 ment.”.

14 SEC. 2002. The Further Additional Continuing Ap-
15 propriations Act, 2018 (division A of Public Law 115-96)
16 is amended by striking section 1002.

17 This division may be cited as the “Extension of Con-
18 tinuing Appropriations Act, 2018”.

19 **DIVISION C—HEALTHY KIDS ACT**

20 **SEC. 3001. SHORT TITLE.**

21 This division may be cited as the “Helping Ensure
22 Access for Little Ones, Toddlers, and Hopeful Youth by
23 Keeping Insurance Delivery Stable Act” or the
24 “HEALTHY KIDS Act”.

1 **SEC. 3002. SIX-YEAR FUNDING EXTENSION OF THE CHIL-**
2 **DREN'S HEALTH INSURANCE PROGRAM.**

3 (a) FUNDING.—

4 (1) IN GENERAL.—Section 2104(a) of the So-
5 cial Security Act (42 U.S.C. 1397dd(a)), as amend-
6 ed by section 3201(a) of the CHIP and Public
7 Health Funding Extension Act (division C of Public
8 Law 115–96), is amended—

9 (A) in paragraph (20)(B), by striking “;
10 and” and inserting a semicolon;

11 (B) by striking paragraph (21) and insert-
12 ing the following new paragraphs:

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

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

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

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

17 “(25) for fiscal year 2022, \$25,900,000,000;

18 and

19 “(26) for fiscal year 2023, for purposes of mak-
20 ing two semi-annual allotments—

21 “(A) \$2,850,000,000 for the period begin-
22 ning on October 1, 2022, and ending on March
23 31, 2023; and

24 “(B) \$2,850,000,000 for the period begin-
25 ning on April 1, 2023, and ending on Sep-
26 tember 30, 2023.”.

1 (2) PREVENTION OF DUPLICATE APPROPRIA-
2 TIONS FOR FISCAL YEAR 2018.—Notwithstanding any
3 other provision of law, insofar as funds have been
4 appropriated under subsection (a)(21) of section
5 2104 of the Social Security Act (42 U.S.C. 1397dd),
6 as such subsection is in effect on the day before the
7 date of the enactment of this Act, to provide allot-
8 ments to States under the State Children’s Health
9 Insurance Program established under title XXI of
10 the Social Security Act (42 U.S.C. 1397aa et seq.)
11 (whether implemented under title XIX, XXI, or
12 both, of the Social Security Act) for fiscal year
13 2018—

14 (A) any amounts that are so appropriated
15 that are not so allotted and obligated before the
16 date of the enactment of this Act, are re-
17 scinded; and

18 (B) any amount provided for CHIP allot-
19 ments to a State under this section (and the
20 amendments made by this section) for such fis-
21 cal year shall be reduced by the amount of such
22 appropriations so allotted and obligated before
23 such date.

24 (b) ALLOTMENTS.—

1 (1) IN GENERAL.—Section 2104(m) of the So-
2 cial Security Act (42 U.S.C. 1397dd(m)), as amend-
3 ed by section 3201(b) of the CHIP and Public
4 Health Funding Extension Act (division C of Public
5 Law 115–96), is amended—

6 (A) in paragraph (2)(B)—

7 (i) in the matter preceding clause (i),
8 by striking “(19)” and inserting “(25)”;

9 (ii) in clause (i), by striking “and
10 2017” and inserting “, 2017, and 2023”;
11 and

12 (iii) in clause (ii)—

13 (I) in the matter preceding sub-
14 clause (I), by striking “and paragraph
15 (10)”;

16 (II) in subclause (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), by striking “2018”
21 and inserting “2023”;

22 (C) in paragraph (7)—

23 (i) in subparagraph (A), by striking
24 “2017” and inserting “2023”;

1 (ii) in subparagraph (B), in the mat-
2 ter preceding clause (i), by inserting “(or,
3 in the case of fiscal year 2018, by not later
4 than the date that is 60 days after the
5 date of the enactment of the HEALTHY
6 KIDS Act)” after “before the August 31
7 preceding the beginning of the fiscal year”;
8 and

9 (iii) in the matter following subpara-
10 graph (B), by striking “or fiscal year
11 2016” and inserting “fiscal year 2016, fis-
12 cal year 2018, fiscal year 2020, or fiscal
13 year 2022”;

14 (D) in paragraph (9), by striking “2018”
15 and inserting “2023”; and

16 (E) by amending paragraph (10) to read
17 as follows:

18 “(10) FOR FISCAL YEAR 2023.—

19 “(A) FIRST HALF.—Subject to paragraphs
20 (5) and (7), from the amount made available
21 under subparagraph (A) of paragraph (26) 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 3002(b)(2) of the HEALTHY

1 KIDS Act, the Secretary shall compute a State
2 allotment for each State (including the District
3 of Columbia and each commonwealth and terri-
4 tory) for such semi-annual period in an amount
5 equal to the first half ratio (described in sub-
6 paragraph (D)) of the amount described in sub-
7 paragraph (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 (26) 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 REBASED AMOUNT.—The amount described in

1 this subparagraph for a State is equal to the
2 Federal payments to the State that are attrib-
3 utable to (and countable towards) the total
4 amount of allotments available under this sec-
5 tion to the State in fiscal year 2022 (including
6 payments made to the State under subsection
7 (n) for fiscal year 2022 as well as amounts re-
8 distributed to the State in fiscal year 2022),
9 multiplied by the allotment increase factor
10 under paragraph (6) for fiscal year 2023.

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)(26)(A); and

17 “(II) the amount of the appro-
18 priation for such period under section
19 3002(b)(2) of the HEALTHY KIDS
20 Act; to

21 “(ii) the sum of—

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

24 “(II) the amount made available
25 under subsection (a)(26)(B).”.

1 (2) ONE-TIME APPROPRIATION FOR FISCAL
2 YEAR 2023.—There is appropriated to the Secretary
3 of Health and Human Services, out of any money in
4 the Treasury not otherwise appropriated,
5 \$20,200,000,000 to accompany the allotment made
6 for the period beginning on October 1, 2022, and
7 ending on March 31, 2023, under paragraph
8 (26)(A) of section 2104(a) of the Social Security Act
9 (42 U.S.C. 1397dd(a)) (as added by subsection (a)),
10 to remain available until expended. Such amount
11 shall be used to provide allotments to States under
12 paragraph (10) of section 2104(m) of such Act (as
13 added by paragraph (1)) for the first 6 months of
14 fiscal year 2023 in the same manner as allotments
15 are provided under subsection (a)(26)(A) of such
16 section 2104 and subject to the same terms and con-
17 ditions as apply to the allotments provided from
18 such subsection (a)(26)(A).

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

22 (1) in paragraph (2)—

23 (A) in subparagraph (A)(ii)—

24 (i) by striking “2010, 2011, 2012,
25 2013, 2014, and 2016” and inserting

1 “2010 through 2014, 2016, and 2018
2 through 2022”; and

3 (ii) by striking “fiscal year 2015 and
4 fiscal year 2017” and inserting “fiscal
5 years 2015, 2017, and 2023”; and

6 (B) in subparagraph (B)—

7 (i) by striking “2010, 2011, 2012,
8 2013, 2014, and 2016” and inserting
9 “2010 through 2014, 2016, and 2018
10 through 2022”; and

11 (ii) by striking “fiscal year 2015 and
12 fiscal year 2017” and inserting “fiscal
13 years 2015, 2017, and 2023”; and

14 (2) in paragraph (3)(A), in the matter pre-
15 ceding clause (i), by striking “or a semi-annual allot-
16 ment period for fiscal year 2015 or 2017” and in-
17 serting “or in any of fiscal years 2018 through 2022
18 (or a semi-annual allotment period for fiscal year
19 2015, 2017, or 2023)”.

20 (d) EXTENSION OF QUALIFYING STATES OPTION.—

21 (1) IN GENERAL.—Section 2105(g)(4) of the
22 Social Security Act (42 U.S.C. 1397ee(g)(4)) is
23 amended—

24 (A) in the heading, by striking “THROUGH
25 2017” and inserting “THROUGH 2023”; and

1 (B) in subparagraph (A), by striking
2 “2017” and inserting “2023”.

3 (2) TECHNICAL AMENDMENTS.—Section
4 2104(f)(2)(B)(ii) of the Social Security Act (42
5 U.S.C. 1397dd(f)(2)(B)(ii)), as amended by section
6 3201(e) of the CHIP and Public Health Funding
7 Extension Act (division C of Public Law 115–96), is
8 amended—

9 (A) in subclause (I), by striking “for the
10 month (as defined in subclause (II))” and in-
11 serting “(as defined in subclause (II)) for the
12 month”;

13 (B) in subclause (II), by inserting “, as in
14 effect on the day before the date of the enact-
15 ment of the HEALTHY KIDS Act,” after “sec-
16 tion 2105(g)(4)(A)”;

17 (C) in subclause (VI)—

18 (i) by inserting “, as in effect on the
19 day before the date of the enactment of the
20 HEALTHY KIDS Act” after “, section
21 2105(g)(4)”;

22 (ii) by inserting “, as so in effect”
23 after “under section 2105(g)(4)”.

24 (e) EXTENSION OF EXPRESS LANE ELIGIBILITY OP-
25 TION.—Section 1902(e)(13)(I) of the Social Security Act

1 (42 U.S.C. 1396a(e)(13)(I)) is amended by striking
2 “2017” and inserting “2023”.

3 (f) ASSURANCE OF AFFORDABILITY STANDARD FOR
4 CHILDREN AND FAMILIES.—

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

8 (A) in the paragraph heading, by striking
9 “UNTIL OCTOBER 1, 2019” and inserting
10 “THROUGH SEPTEMBER 30, 2023”; and

11 (B) in subparagraph (A), in the matter
12 preceding clause (i)—

13 (i) by striking “2019” and inserting
14 “2023”; and

15 (ii) by striking “The preceding sen-
16 tence shall not be construed as preventing
17 a State during such period” and inserting
18 “During the period that begins on October
19 1, 2019, and ends on September 30, 2023,
20 the preceding sentence shall only apply
21 with respect to children in families whose
22 income does not exceed 300 percent of the
23 poverty line (as defined in section
24 2110(c)(5)) applicable to a family of the
25 size involved. The preceding sentences shall

1 not be construed as preventing a State
2 during any such periods”.

3 (2) CONFORMING AMENDMENTS.—Section
4 1902(gg)(2) of the Social Security Act (42 U.S.C.
5 1396a(gg)(2)) is amended—

6 (A) in the paragraph heading, by striking
7 “UNTIL OCTOBER 1, 2019” and inserting
8 “THROUGH SEPTEMBER 30, 2023”; and

9 (B) by striking “September 30, 2019,”
10 and inserting “September 30, 2023 (but during
11 the period that begins on October 1, 2019, and
12 ends on September 30, 2023, only with respect
13 to children in families whose income does not
14 exceed 300 percent of the poverty line (as de-
15 fined in section 2110(c)(5)) applicable to a fam-
16 ily of the size involved)”.

17 (g) CHIP LOOK-ALIKE PLANS.—

18 (1) BLENDING RISK POOLS.—Section 2107 of
19 the Social Security Act (42 U.S.C. 1397gg) is
20 amended by adding at the end the following:

21 “(g) USE OF BLENDED RISK POOLS.—

22 “(1) IN GENERAL.—Nothing in this title (or
23 any other provision of Federal law) shall be con-
24 strued as preventing a State from considering chil-
25 dren enrolled in a qualified CHIP look-alike pro-

1 gram and children enrolled in a State child health
2 plan under this title (or a waiver of such plan) as
3 members of a single risk pool.

4 “(2) QUALIFIED CHIP LOOK-ALIKE PROGRAM.—
5 In this subsection, the term ‘qualified CHIP look-
6 alike program’ means a State program—

7 “(A) under which children who are under
8 the age of 19 and are not eligible to receive
9 medical assistance under title XIX or child
10 health assistance under this title may purchase
11 coverage through the State that provides bene-
12 fits that are at least identical to the benefits
13 provided under the State child health plan
14 under this title (or a waiver of such plan); and

15 “(B) that is funded exclusively through
16 non-Federal funds, including funds received by
17 the State in the form of premiums for the pur-
18 chase of such coverage.”.

19 (2) COVERAGE RULE.—

20 (A) IN GENERAL.—Section 5000A(f)(1) of
21 the Internal Revenue Code of 1986 is amended
22 in subparagraph (A)(iii), by inserting “or under
23 a qualified CHIP look-alike program (as de-
24 fined in section 2107(g) of the Social Security
25 Act)” before the comma at the end.

1 (B) EFFECTIVE DATE.—The amendment
2 made by subparagraph (A) shall apply with re-
3 spect to taxable years beginning after December
4 31, 2017.

5 (h) AVAILABILITY OF UNUSED FISCAL YEAR 2018
6 REDISTRIBUTION AMOUNTS.—Any amounts that have
7 been redistributed to States under subsection (f) of section
8 2104 of the Social Security Act (42 U.S.C. 1397dd) for
9 fiscal year 2018 that are not, or will not be, expended by
10 the end of that fiscal year shall be—

11 (1) adjusted by the Secretary before the end of
12 fiscal year 2018 to reflect an updated estimate of
13 shortfalls under subsection (f)(2)(A) of such section;
14 and

15 (2) available for redistribution under subsection
16 (f) of such section for subsequent fiscal years.

17 **SEC. 3003. EXTENSION OF CERTAIN PROGRAMS AND DEM-**
18 **ONSTRATION PROJECTS.**

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

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

1 (2) by inserting after “2017” the following: “,
2 and \$30,000,000 for the period of fiscal years 2018
3 through 2023”.

4 (b) PEDIATRIC QUALITY MEASURES PROGRAM.—
5 Section 1139A(i) of the Social Security Act (42 U.S.C.
6 1320b–9a(i)) is amended—

7 (1) by striking “Out of any” and inserting the
8 following:

9 “(1) IN GENERAL.—Out of any”;

10 (2) by striking “there is appropriated for each”
11 and inserting “there is appropriated—

12 “(A) for each”;

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

15 “(B) for the period”;

16 (4) by striking “. Funds appropriated under
17 this subsection shall remain available until ex-
18 pended.” and inserting “; and”; and

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

20 “(C) for the period of fiscal years 2018
21 through 2023, \$90,000,000 for the purpose of
22 carrying out this section (other than sub-
23 sections (e), (f), and (g)).

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

4 **SEC. 3004. EXTENSION OF OUTREACH AND ENROLLMENT**
5 **PROGRAM.**

6 (a) IN GENERAL.—Section 2113 of the Social Secu-
7 rity Act (42 U.S.C. 1397mm) is amended—

8 (1) in subsection (a)(1), by striking “2017” and
9 inserting “2023”; and

10 (2) in subsection (g)—

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

13 (B) by inserting after “2017” the fol-
14 lowing: “, and \$120,000,000 for the period of
15 fiscal years 2018 through 2023”.

16 (b) MAKING ORGANIZATIONS THAT USE PARENT
17 MENTORS ELIGIBLE TO RECEIVE GRANTS.—Section
18 2113(f) of the Social Security Act (42 U.S.C. 1397mm(f))
19 is amended—

20 (1) in paragraph (1)(E), by striking “or com-
21 munity-based doula programs” and inserting “, com-
22 munity-based doula programs, or parent mentors”;
23 and

24 (2) by adding at the end the following new
25 paragraph:

1 “(5) PARENT MENTOR.—The term ‘parent
2 mentor’ means an individual who—

3 “(A) is a parent or guardian of at least
4 one child who is an eligible child under this title
5 or title XIX; and

6 “(B) is trained to assist families with chil-
7 dren who have no health insurance coverage
8 with respect to improving the social deter-
9 minants of the health of such children, includ-
10 ing by providing—

11 “(i) education about health insurance
12 coverage, including, with respect to obtain-
13 ing such coverage, eligibility criteria and
14 application and renewal processes;

15 “(ii) assistance with completing and
16 submitting applications for health insur-
17 ance coverage;

18 “(iii) a liaison between families and
19 representatives of State plans under title
20 XIX or State child health plans under this
21 title;

22 “(iv) guidance on identifying medical
23 and dental homes and community phar-
24 macies for children; and

1 “(v) assistance and referrals to suc-
2 cessfully address social determinants of
3 children’s health, including poverty, food
4 insufficiency, and housing.”.

5 (c) EXCLUSION FROM MODIFIED ADJUSTED GROSS
6 INCOME.—Section 1902(e) of the Social Security Act (42
7 U.S.C. 1396a(e)) is amended—

8 (1) in the first paragraph (14), relating to in-
9 come determined using modified adjusted gross in-
10 come, by adding at the end the following new sub-
11 paragraph:

12 “(J) EXCLUSION OF PARENT MENTOR
13 COMPENSATION FROM INCOME DETERMINA-
14 TION.—Any nominal amount received by an in-
15 dividual as compensation, including a stipend,
16 for participation as a parent mentor (as defined
17 in paragraph (5) of section 2113(f)) in an activ-
18 ity or program funded through a grant under
19 such section shall be disregarded for purposes
20 of determining the income eligibility of such in-
21 dividual for medical assistance under the State
22 plan or any waiver of such plan.”; and

23 (2) by striking “(14) EXCLUSION” and insert-
24 ing “(15) EXCLUSION”.

1 **SEC. 3005. EXTENSION AND REDUCTION OF ADDITIONAL**
2 **FEDERAL FINANCIAL PARTICIPATION FOR**
3 **CHIP.**

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

12 **SEC. 3006. MEDICAID IMPROVEMENT FUND.**

13 Section 1941 of the Social Security Act (42 U.S.C.
14 1396w-1) is amended—

15 (1) in subsection (a), in the first sentence, by
16 inserting before the period at the end the following:
17 “, and, in accordance with subsection (b)(3), for the
18 purposes of subparagraph (B) of such subsection”;
19 and

20 (2) in subsection (b)—

21 (A) in paragraph (2)—

22 (i) in the first sentence, by inserting
23 “pursuant to paragraph (1)” after “in the
24 Fund”;

25 (ii) by inserting after the first sen-
26 tence the following sentence: “Amounts in

1 the Fund pursuant to paragraph (3) shall
2 be available in advance of appropriations
3 but only if the total amount obligated from
4 the Fund does not exceed the amount
5 available to the Fund under such para-
6 graph (3).”; and

7 (iii) in the last sentence, by striking
8 “sentence” and inserting “sentences”; and
9 (B) by adding at the end the following new
10 paragraph:

11 “(3) ADDITIONAL FUNDING FOR STATE ACTIVI-
12 TIES RELATING TO MECHANIZED CLAIMS SYS-
13 TEMS.—

14 “(A) IN GENERAL.—In addition to the
15 amount made available under paragraph (1),
16 there shall be available to the Fund, for expend-
17 itures from the Fund in accordance with sub-
18 paragraph (B), for fiscal year 2023 and there-
19 after, \$980,000,000, to remain available until
20 expended.

21 “(B) PURPOSES.—The Secretary shall use
22 amounts made available to the Fund under sub-
23 paragraph (A) to pay to each State which has
24 a plan approved under this title, for each quar-

1 ter beginning during or after fiscal year 2023
2 an amount equal to—

3 “(i) 100 percent minus the percent
4 specified in clause (i) of section
5 1903(a)(3)(A) of so much of the sums ex-
6 pended by the State during such quarter
7 as are attributable to the activities de-
8 scribed in such clause;

9 “(ii) 100 percent minus the Federal
10 medical assistance percentage applied
11 under clause (iii) of such section of so
12 much of the sums expended during such
13 quarter (as found necessary by the Sec-
14 retary under such clause) by the State as
15 are attributable to the activities described
16 in such clause; and

17 “(iii) 100 percent minus the percent
18 specified in section 1903(a)(3)(B) of so
19 much of the sums expended by the State
20 during such quarter as are attributable to
21 the activities described in such section.”.

1 **DIVISION D—SUSPENSION OF**
2 **CERTAIN HEALTH-RELATED**
3 **TAXES**

4 **SEC. 4001. EXTENSION OF MORATORIUM ON MEDICAL DE-**
5 **VICE EXCISE TAX.**

6 (a) IN GENERAL.—Section 4191(c) of the Internal
7 Revenue Code of 1986 is amended by striking “December
8 31, 2017” and inserting “December 31, 2019”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to sales after December 31, 2017.

11 **SEC. 4002. DELAY IN IMPLEMENTATION OF EXCISE TAX ON**
12 **HIGH COST EMPLOYER-SPONSORED HEALTH**
13 **COVERAGE.**

14 Section 9001(c) of the Patient Protection and Afford-
15 able Care Act is amended by striking “December 31,
16 2019” and inserting “December 31, 2021”.

17 **SEC. 4003. SUSPENSION OF ANNUAL FEE ON HEALTH IN-**
18 **SURANCE PROVIDERS.**

19 (b) IN GENERAL.—Section 9010(j) of the Patient
20 Protection and Affordable Care Act is amended—

21 (1) by striking “and” at the end of paragraph

22 (1),

23 (2) by striking the period at the end of para-
24 graph (2) and inserting “, and ending before Janu-
25 ary 1, 2019, and”, and

1 (3) by adding at the end the following new
2 paragraph:

3 “(3) beginning after December 31, 2019.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall apply to calendar years beginning after
6 December 31, 2018.

7 **DIVISION E—BUDGETARY**
8 **EFFECTS**

9 **SEC. 5001. BUDGETARY EFFECTS.**

10 (a) IN GENERAL.—The budgetary effects of division
11 C and each succeeding division shall not be entered on
12 either PAYGO scorecard maintained pursuant to section
13 4(d) of the Statutory Pay-As-You-Go Act of 2010.

14 (b) SENATE PAYGO SCORECARDS.—The budgetary
15 effects of division C and each succeeding division shall not
16 be entered on any PAYGO scorecard maintained for pur-
17 poses of section 4106 of H. Con. Res. 71 (115th Con-
18 gress).

19 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
20 Notwithstanding Rule 3 of the Budget Scorekeeping
21 Guidelines set forth in the joint explanatory statement of
22 the committee of conference accompanying Conference Re-
23 port 105-217 and section 250(c)(8) of the Balanced Budg-
24 et and Emergency Deficit Control Act of 1985, the budg-

1 etary effects of division C and each succeeding division
2 shall not be estimated—

3 (1) for purposes of section 251 of such Act; and

4 (2) for purposes of paragraph (4)(C) of section

5 3 of the Statutory Pay-As-You-Go Act of 2010 as

6 being included in an appropriation Act.

