

119TH CONGRESS
2D SESSION

S. _____

To amend title XIX of the Social Security Act to make all children eligible for Medicaid from birth until age 26, to require States to automatically enroll children and young adults under age 26 in the State Medicaid program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KIM introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XIX of the Social Security Act to make all children eligible for Medicaid from birth until age 26, to require States to automatically enroll children and young adults under age 26 in the State Medicaid 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 “MediKids Act”.

5 **SEC. 2. MEDIKIDS.**

6 (a) ELIGIBILITY UNTIL AGE 26.—

1 (1) IN GENERAL.—Section 1902(a)(10)(A)(i) of
2 the Social Security Act (42 U.S.C.
3 1396a(a)(10)(A)(i)) is amended—

4 (A) by striking “or” at the end of sub-
5 clause (VIII);

6 (B) in subclause (IX)(dd), by inserting
7 “or” at the end; and

8 (C) by adding at the end the following new
9 subclause:

10 “(X) beginning on the date that
11 is 2 years after the date of enactment
12 of this subclause, who are individuals
13 who have not attained 26 years of
14 age;”.

15 (2) EFFECTIVE DATE.—The amendment made
16 by this subsection shall take effect on the date of en-
17 actment of this Act.

18 (b) AUTOMATIC ENROLLMENT.—Section 1902(e) of
19 the Social Security Act is amended by striking paragraph
20 (4) and inserting the following:

21 “(4) AUTOMATIC ENROLLMENT OF CHIL-
22 DREN.—

23 “(A) IN GENERAL.—Any child born in a
24 State on or after the date that is 2 years after
25 the date of enactment of the MediKids Act shall

1 be considered to have applied for medical assist-
2 ance under the State plan and shall be auto-
3 matically enrolled for such assistance on the
4 date of their birth.

5 “(B) NOTIFICATION REQUIREMENT.—The
6 State shall inform the parent, guardian, or cus-
7 todial relative of a child who is automatically
8 enrolled in the State plan under subparagraph
9 (A) of the services that will be covered, appro-
10 priate methods for using such services, medical
11 support obligations (under section 1912(a)) cre-
12 ated by enrollment (if applicable), the actions
13 the parent, guardian, or relative must take (if
14 any) to maintain enrollment, and the actions
15 the parent, guardian, or relative may take to
16 disenroll the child.

17 “(C) OPT-OUT IF OTHER COVERAGE IS
18 AVAILABLE.—The State shall establish a proc-
19 ess to allow the parent, guardian, or custodial
20 relative of a child who is automatically enrolled
21 in the State plan under subparagraph (A) to
22 disenroll the child from the State plan through
23 affirmation in writing if the child is enrolled in
24 other health benefits coverage that—

1 “(i) at a minimum, provides the es-
2 sential health benefits defined by the Sec-
3 retary under section 1302(b) of the Pa-
4 tient Protection and Affordable Care Act;
5 and

6 “(ii) meets such other requirements as
7 the Secretary determines appropriate.

8 “(D) SPECIAL RULE.—With respect to an
9 individual who is automatically enrolled in the
10 State plan under subparagraph (A) as a child
11 and has attained 18 years of age, the notifica-
12 tion requirement described in subparagraph (B)
13 and the opt-out requirement described in sub-
14 paragraph (C) shall apply to such individual in
15 lieu of the parent, guardian, or custodial rel-
16 ative of such individual.”.

17 (c) CONTINUOUS ELIGIBILITY.—Section 1902(e)(12)
18 of the Social Security Act (42 U.S.C. 1396a(e)(12)) is
19 amended—

20 (1) in the heading by inserting “AND YOUNG
21 ADULTS” after “CHILDREN”;

22 (2) in the matter preceding subparagraph (A),
23 by striking “19” and inserting “26”;

24 (3) by striking subparagraph (A);

1 (4) by redesignating subparagraphs (B) and
2 (C) as subparagraphs (A) and (B); and

3 (5) in subparagraph (A), as so redesignated, by
4 striking “19” and inserting “26”.

5 (d) EXCLUSION FROM DEFINITION OF MINIMUM ES-
6 SENTIAL COVERAGE.—Section 36B(c)(2) of the Internal
7 Revenue Code of 1986 is amended by adding at the end
8 the following new subparagraph:

9 “(D) TREATMENT OF CERTAIN COVERAGE
10 UNDER THE MEDICAID PROGRAM.—For pur-
11 poses of subparagraph (B), an individual shall
12 not be treated as eligible for minimum essential
13 coverage if—

14 “(i) such coverage consists of eligi-
15 bility for medical assistance under a State
16 Medicaid program under section
17 1902(a)(10)(A)(i)(X) of the Social Secu-
18 rity Act; and

19 “(ii) the individual is not enrolled in
20 such a program for such medical assist-
21 ance.”.

22 (e) COVERAGE OF CHILDREN AND YOUNG ADULTS
23 WITHOUT REGARD TO IMMIGRATION STATUS.—

1 (1) IN GENERAL.—Section 1903(v) of the So-
2 cial Security Act (42 U.S.C. 1396b(v)) is amend-
3 ed—

4 (A) in paragraph (1), by striking “and
5 (5)” and inserting “(5), and (6)”;

6 (B) in paragraph (4)(A)(ii)—

7 (i) in the clause header, by inserting
8 “AND YOUNG ADULTS” after “CHILDREN”;
9 and

10 (ii) by striking “21” and inserting
11 “26”; and

12 (C) by adding at the end the following
13 paragraph:

14 “(6)(A) Notwithstanding any other provision of law,
15 on and after the date that is 2 years after the date of
16 enactment of this paragraph, a State shall provide medical
17 assistance under this title to any individual residing or
18 present in the United States who is eligible for medical
19 assistance under section 1902(a)(10)(A)(i)(X), without re-
20 gard to whether the individual is lawfully residing or law-
21 fully present in the United States.

22 “(B) No debt shall accrue under an affidavit of sup-
23 port against any sponsor of an individual provided medical
24 assistance in accordance with subparagraph (A) and the

1 cost of such assistance shall not be considered as an unre-
2imbursed cost.”.

3 (2) CONFORMING AMENDMENTS.—

4 (A) Section 1137(f) of the Social Security
5 Act (42 U.S.C. 1320b–7(f)) is amended by in-
6serting “or to individuals who are eligible for
7 medical assistance under section
8 1902(a)(10)(A)(i)(X) and are provided such as-
9sistance in accordance with section 1903(v)(6)”
10 before the period.

11 (B) Section 2107(e)(1)(Q) of the Social
12 Security Act (42 U.S.C. 1397gg(e)(1)(Q)) is
13 amended by inserting “and young adults” after
14 “children” each place it appears.

15 (C) Section 402(b)(2) of the Personal Re-
16 sponsibility and Work Opportunity Reconcili-
17 ation Act of 1996 (8 U.S.C. 1612(b)(2)) is
18 amended by adding at the end the following:

19 “(H) MEDICAID EXCEPTION FOR CHIL-
20 DREN AND YOUNG ADULTS.—With respect to
21 eligibility for benefits for the program defined
22 in paragraph (3)(C) (relating to the Medicaid
23 program), section 401(a) and paragraph (1)
24 shall not apply to any individual who has not
25 attained 26 years of age.”.

1 (D) Section 403(d) of the Personal Re-
2 sponsibility and Work Opportunity Reconcili-
3 ation Act of 1996 (8 U.S.C. 1613(d)) is amend-
4 ed—

5 (i) by striking “or” at the end of
6 paragraph (1);

7 (ii) by striking the period at the end
8 of paragraph (2) and inserting “; or”; and

9 (iii) by adding at the end the fol-
10 lowing:

11 “(3) an individual described in section
12 402(b)(2)(H), but only with respect to the program
13 specified in subsection (b)(3)(C) of section 402.”.

14 (E) Section 431(b) of the Personal Re-
15 sponsibility and Work Opportunity Reconcili-
16 ation Act of 1996 (8 U.S.C. 1641(b)) is amend-
17 ed—

18 (i) by striking “or” at the end of
19 paragraph (7);

20 (ii) by striking the period at the end
21 of paragraph (8) and inserting “, or”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(9) an individual who has not attained 26
25 years of age, but only with respect to the designated

1 Federal program defined in section 402(b)(3)(C)
2 (relating to the Medicaid program).”.

3 (3) EFFECTIVE DATE.—The amendments made
4 by this subsection shall take effect on the date of en-
5 actment of this Act.

6 (f) 100 PERCENT FEDERAL MATCHING PAYMENTS
7 FOR MEDICAL ASSISTANCE FOR CHILDREN AND YOUNG
8 ADULTS.—

9 (1) IN GENERAL.—Section 1905 of the Social
10 Security Act (42 U.S.C. 1396d) is amended—

11 (A) in subsection (b), by striking “and
12 (ii)” and inserting “(ii), and (ll)”; and

13 (B) by adding at the end the following new
14 subsection:

15 “(ll) ENHANCED FMAP FOR CERTAIN CHILDREN
16 AND YOUNG ADULTS.—Notwithstanding subsection (b),
17 beginning on the date that is 2 years after the date of
18 enactment of this subsection, the Federal medical assist-
19 ance percentage shall be 100 percent with respect to
20 amounts expended by a State for medical assistance for
21 individuals—

22 “(1) who are eligible for medical assistance
23 under section 1902(a)(10)(A)(i)(X); and

24 “(2) who would not have been eligible for med-
25 ical assistance for full benefits (as defined in sub-

1 section (y)(2)(B)) under the State plan under this
2 title or a waiver of such plan as such plan or waiver
3 was in effect on January 1, 2025.”.

4 (2) EFFECTIVE DATE.—The amendment made
5 by this subsection shall take effect on the date of en-
6 actment of this Act.

7 (g) EXCLUSION FROM COMMUNITY ENGAGEMENT
8 REQUIREMENT.—

9 (1) MANDATORY EXCEPTION FOR CERTAIN IN-
10 DIVIDUALS.—Section 1902(xx)(3)(A)(i)(II) of the
11 Social Security Act (42 U.S.C.
12 1396a(xx)(3)(A)(i)(II)) is amended—

13 (A) in item (aa), by striking “19” and in-
14 serting “26”; and

15 (B) in item (cc), by inserting “or (X)”
16 after “(VII)”.

17 (2) SPECIFIED EXCLUDED INDIVIDUALS.—

18 (A) IN GENERAL.—Section
19 1902(xx)(9)(A)(ii)(I) of the Social Security Act
20 (42 U.S.C. 1396a(xx)(9)(A)(ii)(I)) is amended
21 to read as follows:

22 “(I) who is described in sub-
23 clause (IX) or (X) of subsection
24 (a)(10)(A)(i);”.

1 (B) CONFORMING AMENDMENT.—Section
2 1902(xx)(9)(A)(i)(II)(bb) of the Social Security
3 Act (42 U.S.C. 1396a(xx)(9)(A)(i)(II)(bb)) is
4 amended by striking “19” and inserting “26”.

5 (h) EXPANSION OF EPSDT.—

6 (1) IN GENERAL.—Section 1905(a)(4)(B) of the
7 Social Security Act (42 U.S.C. 1396d(a)(4)(B)) is
8 amended by striking “21” and inserting “26”.

9 (2) CONFORMING AMENDMENT.—Title XIX of
10 the Social Security Act (42 U.S.C. 1396 et seq.) is
11 amended in section 1902(a)(43)(A), by striking
12 “21” and inserting “26”.

13 (i) OTHER CONFORMING AMENDMENTS.—Title XIX
14 of the Social Security Act (42 U.S.C. 1396 et seq.) is
15 amended—

16 (1) in section 1905(a)—

17 (A) in the matter preceding paragraph

18 (1)—

19 (i) in clause (i), by striking “21, or, at
20 the option of the State, under the age of
21 20, 19, or 18 as the State may choose”
22 and inserting “26”; and

23 (ii) in clause (xiv), by striking “or
24 1902(a)(10)(A)(i)(IX)” and inserting “,

1 1902(a)(10)(A)(i)(IX), or

2 1902(a)(10)(A)(i)(X)”; and

3 (B) in paragraph (16)(A), by striking

4 “21” and inserting “26”;

5 (2) in section 1905(h)(1)—

6 (A) in the matter preceding subparagraph

7 (A), by striking “21” and inserting “26”; and

8 (B) in subparagraph (C)—

9 (i) by striking “21” each place it ap-
10 pears and inserting “26”; and

11 (ii) by striking “22” and inserting
12 “27”;

13 (3) in section 1915(l)(7)(A)(ii), by striking
14 “21” and inserting “26”;

15 (4) in section 1916—

16 (A) in subsection (a)(2)(A), by striking
17 “18 years of age (and, at the option of the
18 State, individuals under 21, 20, or 19 years of
19 age, or any reasonable category of individuals
20 18 years of age or over)” and inserting “26
21 years of age”; and

22 (B) in subsection (b)(2)(A), by striking
23 “18 years of age (and, at the option of the
24 State, individuals under 21, 20, or 19 years of
25 age, or any reasonable category of individuals

1 18 years of age or over)” and inserting “26
2 years of age”;

3 (5) in section 1917—

4 (A) in subsection (a)(2)(B), by striking
5 “21” and inserting “26”; and

6 (B) in subsection (b)(2)(A), by striking
7 “21” and inserting “26”; and

8 (6) in section 1937(a)(2)(B), by adding at the
9 end the following new clause:

10 “(xii) MEDIKIDS.—The individual
11 qualifies for medical assistance on the
12 basis of section 1902(a)(10)(A)(i)(X).”.

13 (j) EFFECTIVE DATE.—Except as otherwise pro-
14 vided, the amendments made by this section shall take ef-
15 fect on the date that is 2 years after the date of enactment
16 of this Act.