

116TH CONGRESS
1ST SESSION

S. _____

To remove limitations on inmate eligibility for Medicare, the Children’s Health Insurance Program, and veteran’s health benefits.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To remove limitations on inmate eligibility for Medicare, the Children’s Health Insurance Program, and veteran’s health benefits.

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 “Restoring Health Ben-
5 efits for Justice-Involved Individuals Act of 2019”.

6 **SEC. 2. REMOVAL OF INMATE LIMITATION ON BENEFITS**

7 **UNDER MEDICARE, CHIP, AND VETERANS’**
8 **HEALTH BENEFITS.**

9 (a) MEDICARE.—Section 1862(a)(3) of the Social Se-
10 curity Act (42 U.S.C. 1395y(a)(3)) is amended by insert-

1 ing “in the case of services furnished to individuals who
2 are in custody pending disposition of charges,” after
3 “1880(e),”.

4 (b) CHIP.—Section 2110(b)(2)(A) of the Social Se-
5 curity Act (42 U.S.C. 1397jj(b)(2)(A)) is amended by in-
6 serting “(except as an individual in custody pending dis-
7 position of charges)” after “inmate of a public institu-
8 tion”.

9 (c) PROVISION OF HEALTH CARE FROM DEPART-
10 MENT OF VETERANS AFFAIRS TO INCARCERATED VET-
11 ERANS PENDING DISPOSITION OF CHARGES.—The Sec-
12 retary of Veterans Affairs may not exclude a veteran from
13 the receipt of health care under the laws administered by
14 the Secretary, including hospital care and outpatient care,
15 solely because the veteran is incarcerated pending the dis-
16 position of charges.

17 (d) EFFECTIVE DATE.—This section and the amend-
18 ments made by this section shall take effect on the first
19 day of the first calendar quarter beginning more than 60
20 days after the date of the enactment of this Act and shall
21 apply to items, services, and health care benefits furnished
22 for periods beginning on or after such date.