

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title XIX of the Social Security Act to remove a limitation on an individual's eligibility for medical assistance under the State Medicaid plan while the individual is in custody pending disposition of charges.

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IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself, Mr. MERKLEY, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend title XIX of the Social Security Act to remove a limitation on an individual's eligibility for medical assistance under the State Medicaid plan while the individual is in custody pending disposition of charges.

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 "Equity in Pretrial  
5 Medicaid Coverage Act".

1 **SEC. 2. REMOVAL OF INMATE LIMITATION ON BENEFITS**  
2 **UNDER MEDICAID.**

3 (a) **IN GENERAL.**—The subdivision (A) of section  
4 1905(a) of the Social Security Act (42 U.S.C. 1396d(a))  
5 that follows paragraph (30) is amended by inserting “or  
6 while in custody pending disposition of charges” after “pa-  
7 tient in a medical institution”.

8 (b) **EFFECTIVE DATE.**—The amendment made by  
9 subsection (a) shall take effect on the 1st day of the 1st  
10 calendar quarter that begins after 60 days after the date  
11 of the enactment of this Act and shall apply to items and  
12 services furnished for periods beginning on or after such  
13 date.