

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4872
OFFERED BY Mr. Barton**

Add at the end of subtitle C of title I the following:

1 **SEC. 1207. VERIFICATION REQUIREMENTS TO PREVENT IL-**
2 **LEGAL ALIENS FROM RECEIVING MEDICAID**
3 **BENEFITS.**

4 Section 1904 of the Social Security Act (42 U.S.C.
5 1396c) is amended—

6 (1) by striking “If the Secretary” and inserting
7 the following:

8 “(a) OVERSIGHT.—If the Secretary”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(b) PREVENTING ILLEGAL ALIENS FROM RECEIV-
12 ING MEDICAID BENEFITS.—

13 “(1) VERIFICATION AS CONDITION ON FUND-
14 ING.—Notwithstanding any other provision of law,
15 subject to paragraphs (3) and (4), the Secretary
16 shall not provide funding under 1903(a) for medical
17 assistance provided to an individual (other than
18 emergency services unless such individual has been

1 determined to be eligible for medical assistance
2 under this title on the basis of—

3 “(A) United States citizenship or nation-
4 ality through the verification process described
5 in section 1903(x); or

6 “(B) qualified alien status through the im-
7 migration status verification system described
8 in section 1137(d).

9 “(2) RULE OF CONSTRUCTION.—Nothing in the
10 Patient Protection or Affordable Care Act or the
11 Health Care and Education Affordability Reconcili-
12 ation Act of 2010 or the amendments made by ei-
13 ther such Act shall be construed as exempting any
14 individual from the eligibility verification require-
15 ments specified in paragraph (1).

16 “(3) NO APPLICATION TO DSH.—Paragraph (1)
17 shall not apply to or affect the payments described
18 in section 1923(f) (relating to disproportionate share
19 hospital payments).

20 “(4) NO APPLICATION TO EMERGENCY MEDICAL
21 SERVICES.—Paragraph (1) shall not apply to emer-
22 gency medical services described in section 1903(f),
23 regardless of the status of the individual for whom
24 such services are provided.

1 “(5) NO IMPACT ON EMTALA.—Nothing in this
2 subsection shall be construed as affecting the appli-
3 cation of the requirements of section 1867.”.

