

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

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

1 **SEC. 1207. STATE OPTION TO OPT-OUT OF MEDICAID COV-**  
2 **ERAGE EXPANSION TO AVOID ASSUMING UN-**  
3 **FUNDED FEDERAL MANDATE.**

4 Notwithstanding any other provision of this Act or  
5 the Patient Protection and Affordable Care Act (or an  
6 amendment made by either such Act), the Governor of a  
7 State shall have the authority to opt out of any provision  
8 under either such Act or any amendment made by either  
9 such Act that requires the State to expand coverage under  
10 the Medicaid program if the State agency responsible for  
11 administering the State plan under title XIX certifies that  
12 such expansion would result in an increase of at least 1  
13 percent in the total amount of expenditures by the State  
14 for providing medical assistance to all individuals enrolled  
15 under the State plan, when compared to the total amount  
16 of such expenditures for the most recently ended State fis-  
17 cal year.

