

AMENDMENT TO H.R. 5613
OFFERED BY MR. FOSSELLA, MR. ENGEL, AND
MS. SOLIS

[Amendment is to Committee Print as Forwarded by the
Subcommittee on Health]

Add at the end the following:

1 **SEC. 7. AUTHORITY TO CONTINUE PROVIDING ADULT DAY**
2 **HEALTH SERVICES APPROVED UNDER A**
3 **STATE MEDICAID PLAN.**

4 (a) IN GENERAL.—During the period described in
5 subsection (b), the Secretary of Health and Human Serv-
6 ices shall not—

7 (1) withhold, suspend, disallow, or otherwise
8 deny Federal financial participation under section
9 1903(a) of the Social Security Act (42 U.S.C.
10 1396b(a)) for the provision of adult day health care
11 services, day activity and health services, or adult
12 medical day care services, as defined under a State
13 Medicaid plan approved during or before 1994, dur-
14 ing such period if such services are provided con-
15 sistent with such definition and the requirements of
16 such plan; or

1 (2) withdraw Federal approval of any such
2 State plan or part thereof regarding the provision of
3 such services (by regulation or otherwise).

4 (b) PERIOD DESCRIBED.—The period described in
5 this subsection is the period that begins on November 3,
6 2005, and ends on April 1, 2009.