

119TH CONGRESS  
1ST SESSION

# H. R. 1195

To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for the administrative costs of providing health benefits to individuals who are unauthorized immigrants.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2025

Mr. HUDSON (for himself and Mr. CRENSHAW) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for the administrative costs of providing health benefits to individuals who are unauthorized immigrants.

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 “Protect Medicaid Act”.

1 **SEC. 2. PROHIBITING FEDERAL MEDICAID FUNDING FOR**  
2 **THE ADMINISTRATIVE COSTS OF PROVIDING**  
3 **HEALTH BENEFITS TO INDIVIDUALS WHO**  
4 **ARE UNAUTHORIZED IMMIGRANTS.**

5 Section 1903(i) of the Social Security Act (42 U.S.C.  
6 1396b(i)) is amended—

7 (1) in paragraph (26), by striking “; or” and  
8 inserting a semicolon;

9 (2) in paragraph (27), by striking the period at  
10 the end and inserting “; or”; and

11 (3) by inserting after paragraph (27) the fol-  
12 lowing new paragraph:

13 “(28) with respect to any amounts expended for  
14 the administration of a State program associated  
15 with providing health benefits to noncitizens who are  
16 not lawfully admitted permanent residents and are  
17 ineligible for medical assistance under this title on  
18 the basis of not having a satisfactory immigration  
19 status (as defined in section 1137(d)(1)(B)(iii)) (ex-  
20 cept that such prohibition shall not be construed as  
21 prohibiting payment under the preceding provisions  
22 of this section for costs attributable to the establish-  
23 ment or operation of a system designed to ensure  
24 compliance with such prohibition).”.

1 **SEC. 3. INSPECTOR GENERAL REPORT.**

2 Not later than 180 days after the date of enactment  
3 of this Act, the Inspector General of the Department of  
4 Health and Human Services shall submit to Congress a  
5 report that includes the following information with respect  
6 to States that provide health benefits to noncitizens who  
7 are not lawfully admitted permanent residents and are in-  
8 eligible on the basis of immigration status for medical as-  
9 sistance under title XIX of the Social Security Act (42  
10 U.S.C. 1396 et seq.):

11 (1) How such States separate amounts ex-  
12 pended on the administrative costs related to the  
13 State's Medicaid program and amounts expended on  
14 administrative costs related to providing health ben-  
15 efits to such noncitizens.

16 (2) The types of procedures, protocols, or sys-  
17 tems that such States employ to ensure that they  
18 are in full compliance with prohibitions on the use  
19 of Federal funding to provide health benefits to such  
20 noncitizens and how effective they are at ensuring  
21 compliance.

22 (3) A description of States' methods of financ-  
23 ing State programs that provide health benefits to  
24 such noncitizens who are ineligible for medical as-  
25 sistance due to not having a satisfactory immigra-  
26 tion status, including through the increased use of

1 provider taxes and intergovernmental transfers to fi-  
2 nance the non-Federal share of expenditures under  
3 the State Medicaid program for medical assistance  
4 provided to individuals who are not so ineligible.

5 (4) An analysis of—

6 (A) the extent to which such noncitizens  
7 are provided covered outpatient drugs pur-  
8 chased under—

9 (i) the Medicaid Drug Rebate Pro-  
10 gram under section 1927 of the Social Se-  
11 curity Act (42 U.S.C. 1396r–8); or

12 (ii) the drug discount program under  
13 section 340B of the Public Health Service  
14 Act (42 U.S.C. 256b); and

15 (B) the effect that the provision to such  
16 noncitizens of covered outpatient drugs pur-  
17 chased under the programs described in sub-  
18 paragraph (A) has on the average manufacturer  
19 price (as defined in section 1927(k)(1) of the  
20 Social Security Act (42 U.S.C. 1396r–8(k)(1)))  
21 of such drugs, including whether the average  
22 manufacturer price for such drugs would be  
23 lower if no drugs purchased under such pro-  
24 grams were provided to such noncitizens.

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