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(Original Signature of Member)

114TH CONGRESS  
2D SESSION

# H. R.

To amend title XIX of the Social Security Act to provide for Congressional appointment of members of the Medicaid and CHIP Payment Advisory Commission (MACPAC).

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## IN THE HOUSE OF REPRESENTATIVES

Mr. GRIFFITH introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend title XIX of the Social Security Act to provide for Congressional appointment of members of the Medicaid and CHIP Payment Advisory Commission (MACPAC).

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. CONGRESSIONAL APPOINTMENT OF MEMBERS**  
4 **OF MACPAC.**

5 (a) IN GENERAL.—Section 1900(c) of the Social Se-  
6 curity Act (42 U.S.C. 1396(c)) is amended—

1           (1) in paragraph (1), by striking the period at  
2           the end and inserting the following: “, except that  
3           for terms beginning on or after January 1, 2017,  
4           such members shall be appointed as follows:

5                   “(A) Six by the Speaker of the House of  
6                   Representatives, in consultation with the chair-  
7                   man of the Committee on Energy and Com-  
8                   merce of the House of Representatives.

9                   “(B) Three by the minority leader of the  
10                  House of Representatives, in consultation with  
11                  the ranking member of such Committee.

12                  “(C) Five by the majority leader of the  
13                  Senate, in consultation with the chairman of  
14                  the Committee on Finance of the Senate.

15                  “(D) Three by the minority leader of the  
16                  Senate, in consultation with the ranking mem-  
17                  ber of such Committee.”;

18           (2) by amending paragraph (2) to read as fol-  
19           lows:

20                   “(2) APPLICATION OF ETHICS RULES.—Mem-  
21                   bers of MACPAC shall be treated as employees of  
22                   Congress for purposes of applying title I of the Eth-  
23                   ics in Government Act of 1978 (Public Law 95–  
24                   521).”;

1           (3) in paragraph (3)(A), by inserting “or Con-  
2           gressional officials (as may be applicable)” after  
3           “Comptroller General of the United States”; and

4           (4) in paragraph (5), by inserting before the pe-  
5           riod at the end the following: “and, beginning Janu-  
6           ary 1, 2017, MACPAC shall elect a member as  
7           Chairman and a member as Vice Chairman”.

8           (b) TRANSITION.—

9           (1) INITIAL APPOINTMENT.—The terms of  
10          members of the Medicaid and CHIP Payment and  
11          Access Commission, as in effect as of the date of the  
12          enactment of this Act, shall all expire on December  
13          31, 2016. Congressional officials shall appoint new  
14          members to the Commission pursuant to the amend-  
15          ment made by subsection (a)(1) and the terms of  
16          such new members shall begin on January 1, 2017,  
17          and shall be staggered consistent with paragraph  
18          (2). Nothing in this section shall be construed as  
19          preventing a Congressional official from appointing  
20          under such amendment an individual who is serving  
21          as a member of such Commission before January 1,  
22          2017.

23          (2) STAGGERING TERMS FOR INITIAL APPOINT-  
24          MENTS.—The terms of the individuals first ap-  
25          pointed under the amendment made by subsection

1 (a)(1) shall begin on January 1, 2017, and shall  
2 (pursuant to the amendment made by subsection  
3 (a)(3)) be staggered as follows (as designated by the  
4 appointing official at the time of appointment):

5 (A) SPEAKER APPOINTMENTS.—For mem-  
6 bers appointed by the Speaker of the House of  
7 Representatives, two for a term of 3 years, two  
8 for a term of 2 years, and two for a term of  
9 1 year.

10 (B) HOUSE MINORITY LEADER’S APPOINT-  
11 MENTS.—For members appointed by the minor-  
12 ity leader of the House of Representatives, one  
13 for a term of 3 years, one for a term of 2 years,  
14 and one for a term of 1 year.

15 (C) SENATE MAJORITY LEADER’S AP-  
16 POINTMENTS.—For members appointed by the  
17 majority leader of the Senate, one for a term of  
18 3 years, two for a term of 2 years, and two for  
19 a term of 1 year.

20 (D) SENATE MINORITY LEADER’S AP-  
21 POINTMENTS.—For members appointed by the  
22 minority leader of the Senate, one for a term of  
23 3 years, one for a term of 2 years, and one for  
24 a term of 1 year.