American Recovery and Reinvestment Plan
Comparison of House and Senate Provisions
2-2-09

Subject	H.R. 1 (1-26-09 print; no approved floor amendments were directly related to issues described in this column)	Senate Proposal (includes provisions in the 1-27-09 print of S. 336 approved by the Senate Appropriations Committee and the approved Senate Finance Committee legislative text available on its web site dated 1-30-09)
Medicaid		**(These Senate Medicaid provisions are in Senate Finance Committee legislative text)**
Maintenance of FMAP	**Sec. 5001(a)** Each state's Federal Medical Assistance Percentage (FMAP) will be held harmless at the 2008 level if it would have otherwise decreased in 2009, 2010, or 2011.	Same as House-approved H.R. 1

EXHIBIT 3
DATE 2/6/09
HB 9

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Across-the-Board FMAP Increase	**Sec. 5001(b)** States would receive a temporary increase of **4.9** percentage points in their Federal Medical Assistance Percentage (FMAP) effective Oct. 1, 2008, and extending through Dec. 31, 2010. This temporary FMAP increase would only apply to Medicaid (excluding disproportionate share hospital payments and enhanced FMAP Medicaid SCHIP kids) and Title IV-E foster care and adoption assistance. States would also be required to ensure that local governments do not pay a larger percentage of the state's nonfederal Medicaid expenditures than otherwise would have been required on Sept. 30, 2008. **State Ineligibility:** States are ineligible for the increase if their eligibility standards, methodologies, or procedures under its state plan under Title XIX (including any waiver) are more restrictive than the eligibility standards, methodologies, or procedures, respectively, under such plan as in effect on July 1, 2008. States that have restricted eligibility after July 1, 2008, would no longer be ineligible beginning with the first calendar quarter in which the state has reinstated the standards to those that are no more restrictive than those of July 1, 2008. **Special rules:** A state shall not be ineligible under paragraph 1, before July 1, 2009 on the basis of a restriction that was applied after July 1, 2008, and before the enactment of this act or, on the basis of a restriction that was effective under State law as of July 1, 2008, and would have been in effect as of such date, but for a delay (of not longer than a calendar quarter) in the approval of a request for a new waiver under section 1115. **Rainy Day Fund:** States would not be eligible under (b) the across-the-board increase, (c) the addition increase based on unemployment or (d) an increase in the cap for territories, if any amounts attributable (directly or indirectly) to such increase are deposited or credited into any reserve or rainy day fund of the State. **Rule of Construction:** Nothing in the above paragraphs shall be construed as affecting a State's flexibility with respect to benefits offered under Title 19.	**Sec. 5001(b) Across-the-board increase:** The Senate bill would provide states a temporary increase of **7.6** percentage points in their FMAP, effective Oct. 1, 2008 and extending through Dec. 31, 2010. The increase would not be available for individuals made eligible at higher eligibility standards than those in effect on July 1, 2008. States must meet prompt payment requirements for the increased FMAP. States must submit a report to the secretary regarding how the funds were spent. All other provisions related to this temporary increase are similar to those in HR 1.

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Additional FMAP Increases For Higher Unemployment States	**Sec. 5001(c)** The FMAP for each calendar quarter (October 2008 through December 2010) shall be increased for each state that experienced at least a 1.5 percentage point growth in its unemployment rate calculated as the growth between each state's average monthly unemployment rate for the three-consecutive-month period and the lowest average monthly unemployment rate for the state for any three-consecutive-month period proceeding the most recent period, but beginning on or after Jan. 1, 2006. Each state's adjusted FMAP (i.e., after adding the 4.9 percentage point across-the- board increase) would be further increased by the product of the state's share (BEFORE the application of the 4.9 percentage point increase to the FMAP) and the following applicable "unemployment reduction factor": • 6% unemployment reduction factor if the unemployment rate growth is at least 1.5 percentage points but less than 2.5 percentage points; • 12% factor if unemployment rate growth is at least 2.5 percentage points but less than 3.5 percentage points; • 14% factor if unemployment rate growth is at least 3.5 percentage points. This additional FMAP increase based on unemployment rates does not apply to Title VI-E.	**Sec. 5001(c)** There would be an increase for unemployment growth using a different methodology than the House bill. Similar to the House bill, a state's FMAP would be increased if it experienced at least a 1.5 percentage point growth in its unemployment rate calculated as the growth between the state's average monthly unemployment rate for the three-consecutive-month period and the lowest average monthly unemployment rate for the state for any three-consecutive-month period proceeding the most recent period, but beginning on or after Jan. 1, 2006. But, each state's adjusted FMAP (i.e., after adding the 7.6 percentage point across-the-board increase) would be further increased by the product of the state's share (AFTER the application of the 7.6 percentage point increase to the FMAP) and the following applicable "unemployment reduction factor": • 2.5% unemployment reduction factor if the unemployment rate growth is at least 1.5 percentage points but less than 2.5 percentage points; • 4.5% factor if unemployment rate growth is at least 2.5 percentage points but less than 3.5 percentage points; • 6.5% factor if unemployment rate growth is at least 3.5 percentage points. The unemployment increase does not apply to the IV-E program, similar to HR 1. **These different calculations result in substantially different individual state FMAP increases between the Senate and House versions.**
Additional FMAP for Territories	**Sec. 5001** The amounts otherwise determined available under 1108(f) and (g) shall be increased by 20% (or in the case of the one time election under (b)(2) (10% plus the 4.9%).	**Sec. 5001** The amounts otherwise determined available under 1108(f) and (g) shall be increased by 15.2%
Moratorium on Regulations	**Sec. 5002** Extends the moratorium on six Centers for Medicare and Medicaid Services regulations from April 1, 2009, through June 30, 2009 and adds the Outpatient Hospital Regulation as a seventh regulation under the moratorium through June 30, 2009.	During the markup discussion it was agreed to defer this issue to the floor for further action.

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Transitional Medicaid Assistance	**Sec. 5003** Under current law this is set to expire June 30, 2009, individuals who leave welfare to go to work receive up to one year of Medicaid coverage so long as they continue working. This bill would extend this current law provision through Dec. 31, 2010.	**Sec. 3101** Same as HR 1. Also, adds an option for the state to treat any reference in the section to six months as a reference to 12 months.
State Option for Family Planning Services	**Sec. 5004** This would allow states to have family planning services covered as a state plan option rather then having to go through the waiver process.	No provision in the Senate
Qualified Individuals Program (QI)	Not addressed	**Sec 3201** Extension through Dec. 31, 2010

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Provisions Impacting American Indians	**Sec. 5005** Same as Senate.	**Secs. 3301-3303** Would add a new subsection specifying that no enrollment fee, premium, or similar charge, and no deduction, co-payment, cost-sharing, or similar charge shall be imposed against an Indian who receives Medicaid-coverable items or services directly from the Indian Health Service (IHS), an Indian Tribe (IT), Tribal Organization (TO), or National Urban Indian Health Organization (NUIHO), or through referral under the contract health service. In addition Medicaid payments due to the IHS, an IT, TO, or UIO, or to a health care provider through referral under the contract health service for providing services to a Medicaid-eligible Indian, could not be reduced by the amount of any enrollment fee, premium or similar charge, as well as any cost-sharing or similar charge that would otherwise be due from an Indian, if such charges were permitted. A rule of construction would specify that nothing in this provision could be construed as restricting the application of any other limitations on the imposition of premiums or cost-sharing that may apply to a Medicaid-enrolled Indian. This language would also add Indians receiving services through Indian entities to the list of individuals exempt from paying premiums or cost-sharing under the DRA option for alternative premiums and cost-sharing under Medicaid. The effective date of this provision would be April 1, 2009. This will prohibit consideration of 4 classes of property from resources in determining Medicaid eligibility of an Indian and this provision would be applied the same to SCHIP as that which applies to Medicaid. This provides certain income, resources, and property to remain exempt from Medicaid estate recovery if they were exempted under Section 1917(b)(3) of the SSA under instructions regarding Indian tribes and Alaskan Native Villages as of April 1, 2003. Requires consultation with Indian Health Programs and Urban Indian Organizations when making changes to Medicaid, SCHIP, and other health care programs funded under the Social Security Act that would substantially affect the tribes. Allows Indian enrollees to select an Indian health care provider as a primary care provider and requires MCO's to meet certain requirements related to access to Indian health care providers.

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Health Information Technology	**Title IV (starting with Sec. 4001):** Sec HIT efforts would receive $20 billion to work on computerization of health records to cut costs and reduce medical errors. It includes standards, payment incentives, and privacy protections to encourage the widespread adoption of health information technology. There would be 100% federal funding for Electronic Health Records for providers who meet specific requirements and thresholds of Medicaid participation and 90% administrative. This appropriates $40 million for each of FYs 2009-2015 and $20 million for each fiscal year afterward, through 2019.	**Sec. 4211** Same as HR 1 except for the $20 billion to work on computerization of health records to cut costs and reduce medical errors. Bill does not include privacy or security provisions.
Disproportionate Share Hospitals	**Sec. 5007** For FYs 2009-2010 the DSH allotment would be equal to 102.5% percent of the states 2009 allotments. For each successive year a new formula is used to determine DSH allotments.	**Sec. 5002** For FY 2009 the DSH allotment shall be the state's DSH allotment for FY 2008 increased by 16%; for FY 2010 the DSH allotment shall be the state's DSH allotment for FY 2009 increased by 16%; for FY 2011, (the period ending Dec. 31, 2010), it shall be ¼ of the DSH allotment for the state for FY 2010 increased by 16%; for FY 2011 (the period beginning Jan. 1, 2011, and ending on Sept. 30, 2011) it shall be ¾ of the DSH allotment that would have been determined under this subsection for the state for FY 2010 if this had not been enacted; FY 2012 it shall be the DSH allotment that would have been determined for FY 2010 had this not been enacted; for FY 2013 and beyond it shall be the DSH allotment for the previous FY subject to an increase for inflation.
Prompt Pay for Nursing Facilities	No provision	**Sec. 3304** Adds prompt pay requirement for NFs. Would prevent states from receiving increased FMAP if out of compliance with the prompt pay requirement.
GAO Study regarding state needs during periods of economic downturn	No provision	**Sec. 5005** Requires a report by Comptroller General on recommendations for adjusting FMAP for future economic downturns.

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COBRA and Optional Coverage **Background**: In general, to be eligible for COBRA a worker must have worked for an employer with 20 or more employees, have been enrolled in the employer's health plan, and have lost his/her health coverage due to termination of employment for reasons other than gross misconduct. Under COBRA, workers must pay 100% of the premium plus 2% in administrative costs.	**Sec. 3002** **The bill would provide a 65% subsidy for COBRA continuation premiums for up to 12 months for workers who have been involuntarily terminated (and their families).** To qualify for COBRA premium assistance, a worker must be involuntarily terminated between Sept. 1, 2008, and Dec. 31, 2009. The subsidy would terminate upon offer of any new employer-sponsored coverage. **The bill would also provide** that those COBRA-eligible workers who are 55 and older, or who have worked for an employer for 10 or more years, would be able to retain COBRA coverage, at their own expense, until they become Medicare-eligible at age 65 or secure coverage through a subsequent employer. **Sec. 3003** **Optional State Coverage at 100% Federal Share:** The bill would give state Medicaid programs a temporary option of covering one or more of the following groups of unemployed individuals without health insurance (and their uninsured spouses and dependents): (1) individuals receiving unemployment benefits and individuals who have exhausted unemployment benefits; (2) individuals who are receiving SNAP (food stamps) and are not otherwise eligible for Medicaid; and (3) individuals in families with gross incomes below 200% of the poverty level. To qualify, individuals would have to be receiving or have exhausted unemployment benefits during the period Sept. 1, 2008, through Dec. 31, 2010, or be involuntarily separated from employment during this period. The federal government would assume 100% of the costs of benefits and administration for individuals enrolled under this option through Dec. 31, 2010.	**Sec. 3001** **The Senate bill would provide a 65% subsidy for COBRA continuation coverage for a period not exceeding 9 months.** To qualify, a worker must have be involuntarily terminated sometime during the period beginning Sept. 1, 2008, and Dec. 31, 2009, must be eligible for COBRA continuation coverage during that period and elect such coverage. Termination for gross misconduct does not qualify. The remaining 35% of the COBRA premium could be paid by the individual, or another individual paying on behalf of the individual, such as a parent or guardian or a state agency or charity. This provision is effective for premiums for months of coverage beginning on or after the date of enactment, and extends through Dec. 31, 2010. **No similar provision** **There is no similar Medicaid option.**
Funding for retroactive SSDI eligibility determinations	Not included	**Sec. 5003** The secretary shall work with each state to reach an agreement not later than 3 months from the date of this enactment on the amount of payment to be made to the state as a result of this special disability workload project. $3 Billion appropriated for payment to the states for the liability resulting from Medicare's special disability workload project. States are ineligible if they are a party to a civil action relating to this Medicare liability as a result of this special disability workload project while the action is pending or if the action is resolved in favor of the state.

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TANF

(These Senate TANF provisions are in Senate Finance Committee legislative text)

Emergency Contingency Fund	**Sec. 2101** Would establish a temporary "Emergency Contingency Fund" for FYs 2009 and 2010 from which the following three types of state TANF expenditure increases would be eligible for 80% federal share of cost if certain criteria are met: (1) Increases basic assistance expenditures; (2) Increased expenditures on Non-Recurrent Short Term Benefits; and (3) Increased expenditures for Subsidized Employment. Increased caseloads and increased expenditures eligible for a federal grant in a given "emergency fund quarter" (in FY 2009 and FY 2010) would be measured against the same for the corresponding quarter of one of two "base years" (either FY 2007 or FY 2008), whichever is lower. Grants to states for increased basic assistance expenditures: For any state, if the average monthly caseload for each quarter in FYs 2009 and 2010 exceeds the average monthly caseload for the corresponding quarter of the emergency fund base year (either FY 2007 or FY 2008), then the state would be eligible to receive a federal grant for that quarter equal to 80% of the amount (if any) by which the total expenditures of the state for basic assistance (to be defined by the secretary) in the quarter (whether under a state program funded under this part or as qualified state expenditures) exceeds the total expenditures of the state for such assistance in the corresponding quarter of the state's base year. Grants to states for increased expenditures for non-recurrent short term benefits: States would be eligible to receive a federal grant for each quarter equal to 80% of the total expenditures of the state for non-recurrent short-term benefits in the quarter (whether under a state program funded under this part or as qualified state expenditures) that exceed the total of such expenditures of the state in the corresponding quarter in the state's base year. Grants to states for increased expenditures for subsidized employment: States would be eligible to receive a federal grant for each quarter equal to 80% of the total expenditures of the state for subsidized employment in the quarter (whether under a state program funded under this part or as qualified state expenditures) that exceed the total of such expenditures of the state in the corresponding quarter in the state's base year. For each fiscal year 2009 and 2010, a state cannot receive more total combined TANF Emergency Contingency Funding and TANF Contingency Funding than 25% of its annual State Family Assistance Grant. While CBO estimates federal costs of this Emergency Fund would be **$2.5 billion** over FYs 2009 and 2010, funding is not capped in HR 1.	**Sec. 2101** Same as HR 1 except the fund would be capped at $3.0 billion

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Supplemental Grants	Not included	**Sec. 2102** Additional Supplemental Grants are held at the annual $319 million level through FY 2010. In FY 2010, the 17 qualifying states will receive the same grant amount as received in FY 2009
Caseload Reduction Credit Hold Harmless	**Sec. 2101** Between Oct. 1, 2008, and Dec. 31, 2010, states will be allowed to maintain the caseload reduction credit earned in either FY 2007 or FY 2008	**Sec. 2101(b)** Same as HR 1
Temporary Flexibility For TANF Carry-Over Funding	Not included	**Sec. 2103** States would be allowed to use TANF "carry over" funds for all spending related to TANF benefits or services. This temporarily lifts the restriction on states requiring "carry over" funds to be used for only basic cash assistance.
Workforce Development **[Senate Workforce Development provisions from Senate Approp. Committee Approved S.336]**		
Workforce Investment Act (WIA)	**Title IX, Subtitle A** An additional $4 billion which shall be available for obligation on the date of enactment of this Act, as follows: ▪ $500 million for grants to the states for adult employment and training activities ▪ $1.2 billion for grants to the states for youth activities, including summer jobs for youth ▪ $1 billion for grants to the states for dislocated worker employment and training activities ▪ $500 million for the dislocated workers assistance national reserve to remain available for federal obligation through June 30, 2010 ▪ $50 million for YouthBuild activities, which shall remain available for federal obligation through June 30, 2010 $750 million for a program of competitive grants for worker training and placement in high growth and emerging industry sectors [$500 million shall be for research, labor exchange and job training projects that prepare workers for careers in the energy efficiency and renewable energy industries specified in section 171(e)(1)(B)(ii) of the WIA (as amended by the Green Jobs Act of 2007)]	**Title VIII** An additional $3.2 billion available on the date of enactment for the following WIA activities: ▪ $500 million for adult employment and training activities, ▪ $1.2 billion for grants to the states for youth activities, including summer employment for youth ▪ $1 billion for grants to the states for dislocated worker employment and training activities; ▪ $200 million for national emergency grants; ▪ $250 million under the dislocated worker national reserve for a program of competitive grants for worker training in high growth and emerging industry sectors and assistance under 132(b)(2)(A) of the WIA; ▪ $100 million for YouthBuild activities

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State Unemployment Insurance and Employment Service	**Title IX, Subtitle A** An additional $500 million for State Unemployment Insurance and Employment Service Operations for grants to the states in accordance with section 6 of the Wagner-Peyser Act. All $500 million may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, and which shall be available for obligation on the date of enactment of this Act and shall remain available to states through September 30, 2010. States need to spend $250 million of this amount for reemployment services for unemployment insurance claimants.	**Title VIII** An additional $400 million for State Unemployment Insurance and Employment Service Operations for grants to states in accordance with section 6 of the Wagner-Peyser Act. All $400 million may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and which shall be available on the date of enactment of this Act and remain available to the states through September 30, 2010. States need to spend $250 million of this amount for reemployment services for unemployment insurance claimants.
Vocational Rehabilitation	**Title IX, Subtitle C** **An additional $700 million** for "Rehabilitation Services and Disability Research" for providing grants to States to carry out the Vocational Rehabilitation Services program under part B of title I and parts B and C of chapter 1 and chapter 2 of title VII of the Rehabilitation Act of 1973, $700,000,000. $500 million will be available for part B of title I of the Rehabilitation Act, of which $250 million will become available on Oct. 1, 2009. The states will not have a share of the cost for the vocational rehabilitative services provided; they will be 100% federally funded. This additional funding will not impact the existing cap on FFP to states. The additional $200 million is for parts B and C of chapter 1 and chapter 2 of Title VII of the Rehabilitation Act, of which $100 million will become available on Oct. 1, 2009. $34,775,000 shall be for State Grants, $114,581,000 shall be for independent living centers, and $50,644,000 shall be for services for older blind individuals. The states will not have a share of the cost for the vocational rehabilitative services provided; they will be 100% federally funded.	**Title VIII** **An additional $610 million** for "Rehabilitation Services and Disability Research" for providing grants to states to carry out the Vocational Rehabilitation Services program under part B of title I and parts B and C of chapter 1 and chapter 2 of title VII of the Rehabilitation Act of 1973. All $610 million will remain available through Sept. 30, 2010. $500 million shall be available for part B of Title I of the Rehabilitation Act. The states will not have a share of the cost for the vocational rehabilitative services provided; they will be 100% federally funded. That funds provided herein shall not be considered in determining the amount required to be appropriated under section 00(b)(1) of the Rehabilitation Act of 1973 in any fiscal year.
Supplemental Nutrition Assistance Program		
Temporary Increase in Benefits Under SNAP	**Sec. 2001 (a)(1)** Beginning the first of the month 25 days after enactment, the current maximum SNAP benefit will be set at 113.6% of the June 2008 value of the Thrifty Food Plan. Block grants for Puerto Rico and American Samoa will also be calculated using 113.6% of the June 2008 TFP. This would result in an estimated $20 billion increase in SNAP benefits over two years. **Issues/questions:** 1. Maximum allotments are established by determining the amount of the TFP in June rounded down to the nearest lower dollar. Will FNS use the actual TFP amount from June 2008 times 1.136 and then round down? The language of the law would appear to require this. If so, states will need to receive the new maximum allotments from FNS since they cannot calculate them. These allotments must be provided no later than the day after	**Sec. 102(a)(1)&(2) & (e)** (1) Beginning the first of the month 25 days after enactment, the current maximum SNAP benefit will be set at 185% of the June 2008 value of the Thrifty Food Plan (TFP). (2) The next month the maximum SNAP benefit will be set at 112% of the June 2008 value of the TFP. (e) Block grants for Puerto Rico and American Samoa will be calculated for FY 2009 using 112% of the TFP. This would result in an estimated $16.5 billion increase in SNAP benefits over two years. **Issues/questions:** This provision seems to be a "catch-up" since it is likely that six months of

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	enactment. 2. Will the minimum allotment be affected? The SNAP act provides that the minimum allotment is 8% of the TFP rounded to nearest whole dollar. Since the June 2008 TFP is used as the base, it appears that the minimum allotment will remain the same and not be adjusted upward by 13.6%.	FY 2009 will have passed before the increase takes effect. States will have to make mass changes to their computer systems two months in a row to reflect the 85% increase for the first month and then the 12% increase for subsequent months.
Termination of the Temporary Increase	**Sec. 2001(a)(2)** The increase terminates after Sept. 30, 2009, however, the maximum allotment may not be reduced below the level set in (a)(1) above for FY 2010.	**Sec. 102(a)(3)-(5)** The increase terminates after Sept. 30, 2009, however, the maximum allotment may not be reduced below the level set in (a)(2) above for FY 2010 and FY 2011.
Temporary Increase in Administrative Matching Funds	**Sec 2001 (c)** $150 million (less $4.5 million for FNS allocated to monitoring program integrity and the effectiveness of the benefit increase) will be made available to states in each of FYs 2009 and 2010 and remain available through Sept. 30, 2012. The funds will be made available as grants to state agencies based on each state's share of households participating in SNAP as reported to USDA for the 12-month period ending with June 2008. **Issues/Questions:** 1. When will the grants be made available? 2. How will the grants be reflected in administrative costs? If they are subtracted from overall administrative costs, it will reduce the federal share of administrative costs and thus not provide states with the total grant.	**Sec. 102(c)** $150 million (less $5 million for FNS allocated to monitoring program integrity and the effectiveness of the benefit increase) will be made available to states in FY 2009 and FY 2010. The FY 2009 grant must be made available to states not later than 60 days after enactment. Of the grant, 75% will be based on each state's share of participating households based on the most recent 12 months data reported to FNS; 25% will be based on the increase in the number of participating households for the same time period. (The figures can be adjusted for participation in the disaster SNAP at the secretary's discretion.) MOE requirement for states to maintain expenditures on specified SNAP administrative costs to qualify for the grants. Specified costs include all SNAP administrative costs except the costs of employment and training programs, nutrition education, and any other costs excluded by the secretary. States must continue their past investment in SNAP administration (no base year is specified) to access the new funding. **Issues/Questions** What time period will be used to determine the MOE? States are under severe financial pressure and many have had to resort to hiring freezes, furloughs, and layoffs. Revenues are down significantly such that states do not have the funds to maintain program and staff efforts; if the MOE level set does not take this into account, many states will not be able access the funds. The MOE set should not include disaster program administrative expenses. Since the grants must be made available within 60 days of enactment, what will happen if a state gets a grant and then is subsequently determined to have not met MOE?

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Administrative Provisions	**Sec. 2001(b)** The secretary shall: consider the change in benefits a mass change; require a simple process for notifying households of the increase; subject the change to the QC hold-harmless provision without regard to the 120-day limit; and have the authority to take such measures as necessary to ensure the efficient administration of the benefits provided in this section. **Issues/questions:** 1. What type of notice will be required – a general notice, or a specific notice of the new allotment amount? 2. When determining errors, will the error be adjusted downward by 13.6%, given that any error detected will automatically be larger than prior to the increase? If so, this adjustment must be made prior to determining if the error is above the $25 tolerance.	**Sec. 102(b)** The provisions regarding mass change, simple process for notifying households, and the QC hold-harmless are the same. States must disregard the additional amount of benefits that a household receives as a result of the temporary increase when determining the amount of an overissuance and the hours of participation in an employment and training or workfare program. The QC tolerance level for excluding small errors is set at $50 through the period the benefit increase is in effect. **Issues/questions:** Same as for House bill. Disregarding the increase will mean that most states that have integrated the overissuance determination into their SNAP systems will have to write a complicated program that substitutes the TFP tables that would have been in effect for the tables that are actually in effect for the months of the increase. (These will mean three sets of tables as the amount that is in effect for FY 2009 prior to the increase, for FY 2010 the TFP as of 6/09, and for FY 2011 the TFP as of 6/10.) A blanket reduction amount for any claims that include months of the increase might be easier to implement.
Able-Bodied Adults Without Dependents	**Sec. 2001(d)** ABAWDS who comply with regular SNAP work registration and work requirements (Sec. 6(d)) or workfare (Sec. 20) or work requirements of a simplified SNAP program (Sec. 26) shall not be disqualified from SNAP due to the provisions of Sec. 6(o). Any months that an ABAWD participates between the effective date of the suspension and Sept. 30, 2010, will not count when the time-limit is restored. **Issue/Questions:** This appears to lift the three-month time limit and place ABAWDs under the regular employment and training requirements/options. Does this mean that, if the ABAWD failed to comply, the regular employment and training disqualification would apply? Or, would Sec. 6(o) provisions – time-limit, regaining eligibility, etc. – apply when an ABAWD fails to comply? If a "pledge" state continues to offer all ABAWDs a work program slot, will the state retain the additional funds pledge states receive for employment and training programs?	**Sec 102(f)** ABAWD participation shall not be limited under Sec. 6(o)(2) of the act unless the ABAWD does not comply with the requirements of a work program (Sec. 6(o)(2)(B)) or workfare requirements (Sec. 6(o)(2)(C)) in the ABAWD section of the act rather than the regular employment and training requirements of Sec. 6(d). Any months that an ABAWD participates between the effective date of this legislation and Oct. 1, 2011, will not count when the time limit is restored. **Issue/Question:** Because of the use of the word unless and the references to the work program and workfare requirements of Sec. 6(o), it appears that if a state offers a program that meets the standards of Sec. 6(o)(2)(B) or (C) and the ABAWD fails to comply with one of them, then all the requirements of Sec. 6(o) – time-limit, regaining eligibility, etc. – would be applied to the person.

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Other Programs		
Title IV-E Assistance	**Sec. 5001(b)** Proposed FMAP increase of 4.9 percentage points applies to IV-E foster care, adoption, and guardianship assistance. This increase does not apply to IV-E Administration funding.	**Senate Finance Committee Legislative Text, Sec. 5001(e)** Proposed FMAP increase of 7.6 percentage points applies to IV-E foster care, adoption, and guardianship assistance. This increase does not apply to IV-E Administration funding.
Child Support Enforcement (CSE)	**Sec. 2103** Requires HHS to temporarily restore federal matching funds for CSE incentive payments that states reinvest back into the child support enforcement program from the period of Oct. 1, 2008, to Dec. 31, 2010.	**Senate Finance Committee Legislative Text, Sec. 2104** Same as HR 1 except that the funding is only available from Oct. 1, 2008, to Sept. 30, 2010.
Child Care and Development Block Grant (CCDBG)	**Title IX, Subtitle B** $2 billion over two years; $1 billion would become available Oct.1, 2009; funds will supplement, not supplant State general revenue child care funds	**S. 336, Title VIII** $ 2 billion over two years; "money shall remain available through Sept. 30, 2010"; funds will supplement, not supplant state general revenue child care funds; $255,186,000 will be used for quality; $93,587,000 (of the $255,186,000) will be used to improve the quality of infant and toddler care.
Social Services Block Grant (SSBG)	No additional funds for SSBG	**S.336, Title VIII** $400 million in additional, temporary funding for SSBG. The funding would be allocated within 60 days of enactment based on states' unemployment rates.

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