

1           *procedures that are more restrictive than the*  
 2           *standards, methodologies, or procedures in effect*  
 3           *under the State plan or under a waiver of the*  
 4           *plan on the date of enactment of the Patient Pro-*  
 5           *tection and Affordable Care Act for purposes of*  
 6           *determining compliance with the requirements of*  
 7           *paragraph (1), (2), or (3).”.*

8           ***(c) MEDICAID BENCHMARK BENEFITS MUST CONSIST***  
 9           ***OF AT LEAST MINIMUM ESSENTIAL COVERAGE.—Section***  
 10           ***1937(b) of such Act (42 U.S.C. 1396u–7(b)) is amended—***

11           (1) *in paragraph (1), in the matter preceding*  
 12           *subparagraph (A), by inserting “subject to para-*  
 13           *graphs (5) and (6),” before “each”;*

14           (2) *in paragraph (2)—*

15           (A) *in the matter preceding subparagraph*  
 16           *(A), by inserting “subject to paragraphs (5) and*  
 17           *(6)” after “subsection (a)(1),”;*

18           (B) *in subparagraph (A)—*

19           (i) *by redesignating clauses (iv) and*  
 20           *(v) as clauses (vi) and (vii), respectively;*  
 21           *and*

22           (ii) *by inserting after clause (iii), the*  
 23           *following:*

24           ***“(iv) Coverage of prescription drugs.***

25           ***“(v) Mental health services.”; and***

1                   (C) in subparagraph (C)—  
2                   (i) by striking clauses (i) and (ii); and  
3                   (ii) by redesignating clauses (iii) and  
4                   (iv) as clauses (i) and (ii), respectively; and  
5                   (3) by adding at the end the following new para-  
6                   graphs:

7                   “(5) *MINIMUM STANDARDS.—Effective January*  
8                   *1, 2014, any benchmark benefit package under para-*  
9                   *graph (1) or benchmark equivalent coverage under*  
10                   *paragraph (2) must provide at least essential health*  
11                   *benefits as described in section 1302(b) of the Patient*  
12                   *Protection and Affordable Care Act.*

13                   “(6) *MENTAL HEALTH SERVICES PARITY.—*

14                   “(A) *IN GENERAL.—In the case of any*  
15                   *benchmark benefit package under paragraph (1)*  
16                   *or benchmark equivalent coverage under para-*  
17                   *graph (2) that is offered by an entity that is not*  
18                   *a medicaid managed care organization and that*  
19                   *provides both medical and surgical benefits and*  
20                   *mental health or substance use disorder benefits,*  
21                   *the entity shall ensure that the financial require-*  
22                   *ments and treatment limitations applicable to*  
23                   *such mental health or substance use disorder ben-*  
24                   *efits comply with the requirements of section*  
25                   *2705(a) of the Public Health Service Act in the*

1 *same manner as such requirements apply to a*  
2 *group health plan.*

3 “(B) *DEEMED COMPLIANCE.*—Coverage pro-  
4 *vided with respect to an individual described in*  
5 *section 1905(a)(4)(B) and covered under the*  
6 *State plan under section 1902(a)(10)(A) of the*  
7 *services described in section 1905(a)(4)(B) (relat-*  
8 *ing to early and periodic screening, diagnostic,*  
9 *and treatment services defined in section*  
10 *1905(r)) and provided in accordance with sec-*  
11 *tion 1902(a)(43), shall be deemed to satisfy the*  
12 *requirements of subparagraph (A).”.*

13 (d) *ANNUAL REPORTS ON MEDICAID ENROLLMENT.*—

14 (1) *STATE REPORTS.*—Section 1902(a) of the So-  
15 *cial Security Act (42 U.S.C. 1396a(a)), as amended*  
16 *by subsection (b), is amended—*

17 (A) *by striking “and” at the end of para-*  
18 *graph (73);*

19 (B) *by striking the period at the end of*  
20 *paragraph (74) and inserting “; and”; and*

21 (C) *by inserting after paragraph (74) the*  
22 *following new paragraph:*

23 “(75) *provide that, beginning January 2015,*  
24 *and annually thereafter, the State shall submit a re-*  
25 *port to the Secretary that contains—*