

AMENDMENT TO RULES COMMITTEE PRINT 114-

45

OFFERED BY MR. BUCSHON OF INDIANA

[Amendment to consolidated texts of H.R. 3716 and HR 3821]

Page 1, lines 2 and 3, strike “Ensuring Removal of Terminated Providers from Medicaid and CHIP Act” and insert “Ensuring Access to Quality Medicaid Providers Act”.

Page 1, lines 15 and 16, strike “January 1, 2017” and insert “July 1, 2018”.

Page 3, lines 1 and 2, strike “the effective date of such termination specified in such notice” and insert “the date on which such termination is effective, as specified in the notice”.

Page 3, line 16, strike “REPORTING REQUIREMENTS” and insert “CONTRACT REQUIREMENT”.

Page 3, line 20, strike “STATE REPORTING REQUIREMENTS FOR MANAGED CARE ENTITIES” and insert “CONTRACT REQUIREMENT FOR MANAGED CARE ENTITIES”.

Page 3, line 22, strike “(A)” and all that follows through “With respect” and insert “With respect”.

Page 3, beginning on line 24, strike “applicable), beginning on the later of the first day of the first plan year for such managed care entity that begins after the date of the enactment of this paragraph or January 1, 2017, the State shall require that such contract” and insert “applicable), no later than July 1, 2018, such contract shall”.

Page 4, strike lines 12 through 21.

Page 6, line 1, strike “January 1, 2018” and insert “July 1, 2018”.

Page 6, line 17, strike “the applicable date specified in subparagraph (A) of section 1932(d)(5)” and insert “July 1, 2018”.

Page 6, line 21, strike “(i)”.

Page 6, line 21, strike “for the period specified in subparagraph (B) of such section, has a system in effect that meets” and insert “beginning on January 1, 2018, complies with”.

Page 6, line 23, strike “such subparagraph; and” and all that follows through page 7, line 2 and insert “section 1932(d)(6)(A).”.

Page 7, line 5, strike “January 1, 2017” and insert “July 1, 2017”.

Page 10, line 15, strike “paragraph (1)” and insert “subparagraph (A)”.

Page 10, line 21, strike “paragraph (1)” and insert “subparagraph (A)”.

Page 10, lines 23 and 24, strike “reporting requirements” and insert “contract requirement”.

Page 11, after line 15, insert the following:

1 (e) **OIG REPORT.**—Not later than March 31, 2020,
2 the Inspector General of the Department of Health and
3 Human Services shall submit to Congress a report on the
4 implementation of the amendments made by this section.

5 Such report shall include the following:

6 (1) An assessment of the extent to which pro-
7 viders who are included under subsection (ll) of sec-
8 tion 1902 of the Social Security Act (42 U.S.C.
9 1396a) (as added by subsection (a)(3)) in the data-
10 base or similar system referred to in such subsection
11 are terminated (as described in subsection (kk)(8) of
12 such section, as added by subsection (a)(1)) from
13 participation in all State plans under title XIX of
14 such Act.

1 (2) Information on the amount of Federal fi-
2 nancial participation paid to States under section
3 1903 of such Act in violation of the limitation on
4 such payment specified in subsections (i)(2)(D) and
5 subsection (m)(3) of such section, as added by sub-
6 section (a)(4).

7 (3) An assessment of the extent to which con-
8 tracts with managed care entities under title XIX of
9 such Act comply with the requirement specified in
10 section 1932(d)(5) of such Act, as added by sub-
11 section (a)(2).

12 (4) An assessment of the extent to which pro-
13 viders have been enrolled under section 1902(a)(78)
14 or 1932(d)(6)(A) of such Act (42 U.S.C.
15 1396a(a)(78), 1396u-2(d)(6)(A)) with State agen-
16 cies administering State plans under title XIX of
17 such Act.

Page 12, lines 1 and 2, strike “180 days after the date of the enactment of this paragraph” and insert “January 1, 2017”.

Page 12, line 10, strike “a directory” and all that follows through line 13 and insert the following: “a directory of the physicians described in subsection (mm) and, at State option, other providers described in such subsection that—”

Page 12, after line 13, insert the following:

1 “(A) includes—”.

Page 12, line 14, strike “(A)” and insert “(i)”.

Page 12, line 14, insert “physician or” before “pro-
vider”.

Page 12, line 15, strike “(i)” and insert “(I)”.

Page 12, line 15, insert “physician or” before “pro-
vider”.

Page 12, line 16, strike “(ii)” and insert “(II)”.

Page 12, line 16, insert “physician or” before “pro-
vider”.

Page 12, line 17, strike “(iii)” and insert “(III)”.

Page 12, line 17, strike “of the provider” and insert
“at which the physician or provider provides services”.

Page 12, line 18, strike “(iv)” and insert “(IV)”.

Page 12, line 18, insert “physician or” before “pro-
vider”.

Page 12, line 20, strike “(B)” and insert “(ii)”.

Page 12, line 20, insert “physician or” before “pro-
vider”.

Page 12, line 23, strike “(i)” and insert “(I)”.

Page 12, line 23, insert “physician or” before “provider”.

Page 13, line 1, strike “(ii)” and insert “(II)”.

Page 13, line 1, insert “the physician’s” before “provider’s”.

Page 13, line 3, insert “physician or” before “provider”.

Page 13, line 5, strike “provider’s office.” and insert “physician’s or provider’s office; and”.

Page 13, after line 5, insert the following:

1 “(B) may include, at State option, with re-
2 spect to each such physician or provider—
3 “(i) the Internet website of such phy-
4 sician or provider; or
5 “(ii) whether the physician or provider
6 is accepting as new patients individuals
7 who receive medical assistance under this
8 title.”.

Page 13, line 6, strike “PROVIDERS” and insert “PHYSICIAN OR PROVIDER”.

Page 13, line 10, strike “PROVIDERS” and insert “PHYSICIAN OR PROVIDER”.

Page 13, line 10, strike “A” and insert “A physician or”.

Page 13, line 12, insert “physician or” before “provider of”.

Page 13, line 15, insert “physician or” before “provider”.

Page 13, line 17, strike “provider with the State agency, a” and insert “physician or provider with the State agency, a physician or”.

Page 14, line 1, insert “physician or” before “provider of”.

Page 14, line 3, insert “physician or” before “provider”.

Page 14, beginning on line 10, strike “in which all the individuals enrolled in the State plan under title XIX of the Social Security Act” and insert “(as defined for purposes of title XIX of the Social Security Act) in which all the individuals enrolled in the State plan under such title”.

Page 15, line 3, insert “of Health and Human Services” after “Secretary”.

Page 15, line 12, strike “section” and insert “Act”.

