

118TH CONGRESS
1ST SESSION

H. R. 3730

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2023

Mr. SMITH of Nebraska (for himself, Mr. BLUMENAUER, Mr. ARMSTRONG, and Ms. TOKUDA) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

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 “Rural Health Clinic
5 Burden Reduction Act”.

1 **SEC. 2. MODERNIZING PHYSICIAN, PHYSICIAN ASSISTANT,**
2 **AND NURSE PRACTITIONER UTILIZATION RE-**
3 **QUIREMENTS.**

4 Section 1861(aa) of the Social Security Act (42
5 U.S.C. 1395x(aa)) is amended—

6 (1) in paragraph (2)(B), by striking “has an
7 arrangement” and all that follows through the first
8 semicolon and inserting “meets the requirements de-
9 scribed in paragraph (8);”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(8) REQUIREMENTS FOR CERTAIN FACILITIES DE-
13 SCRIBED.—For purposes of paragraph (2)(B), with re-
14 spect to a facility which is not a physician-directed clinic,
15 the following requirements are described in this para-
16 graph:

17 “(A) ARRANGEMENT.—The facility has an ar-
18 rangement consistent with the provisions of State
19 and local law relative to the practice, performance,
20 and delivery of health services, with one or more
21 physician assistants (as defined in paragraph
22 (5)(A)) or one or more nurse practitioners (as de-
23 fined in such paragraph).

24 “(B) PRACTICE AND OVERSIGHT REQUIRE-
25 MENTS.—The delivery of health services under such
26 arrangement shall be in accordance with State law

1 or the State regulatory mechanism governing the
2 practice of physician assistants or nurse practi-
3 tioners.”.

4 **SEC. 3. REMOVING OUTDATED LABORATORY REQUIRE-**
5 **MENTS.**

6 Section 1861(aa)(2)(G) of the Social Security Act
7 (42 U.S.C. 1395x(aa)(2)(G)) is amended by striking “,
8 including clinical laboratory services” and all that follows
9 through “additional diagnostic services” and inserting the
10 following: “and has prompt access to clinical laboratory
11 services and additional diagnostic services”.

12 **SEC. 4. ALLOWING RURAL HEALTH CLINICS THE FLEXI-**
13 **BILITY TO CONTRACT WITH PHYSICIAN AS-**
14 **SISTANTS AND NURSE PRACTITIONERS.**

15 Section 1861(aa) of the Social Security Act (42
16 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
17 ter following paragraph (2), is amended by inserting “or
18 contracts with” after “(iii) employs”.

19 **SEC. 5. URBANIZED AREA FIX.**

20 Section 1861(aa) of the Social Security Act (42
21 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
22 ter following paragraph (2), is amended by striking “(i)
23 is located in an area that is not an urbanized area” and
24 inserting “(i) is located in an area that is not in an urban
25 area of 50,000 or more”.

1 **SEC. 6. EXCEPTION TO BEHAVIORAL HEALTH LIMITATION.**

2 Section 1861(aa) of the Social Security Act (42
3 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
4 ter following paragraph (2), is amended by inserting the
5 following before the period: “, except in the case where
6 the facility is located in an area that is designated (under
7 section 332(a)(1)(A) of the Public Health Service Act) as
8 a mental health professional shortage area”.

9 **SEC. 7. EFFECTIVE DATE.**

10 This Act and the amendments made by this Act shall
11 take effect on January 1, 2024, and shall apply to items
12 and services furnished on or after such date.

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