

116TH CONGRESS
2D SESSION

H. R. 6521

To prohibit the Secretary of Health and Human Services from taking certain actions with respect to Medicaid supplemental payments reporting requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2020

Ms. BARRAGÁN (for herself and Mrs. FLETCHER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the Secretary of Health and Human Services from taking certain actions with respect to Medicaid supplemental payments reporting requirements, and for other purposes.

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. LIMITATION ON ADDITIONAL SECRETARIAL AC-**
4 **TION WITH RESPECT TO MEDICAID SUPPLE-**
5 **MENTAL PAYMENTS REPORTING REQUIRE-**
6 **MENTS.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, during the period that begins on the date of

1 enactment of this section and ends the date that is 2 years
2 after the last day of the emergency period defined in para-
3 graph (1)(B) of section 1135(g) of the Social Security Act
4 (42 U.S.C. 1320b–5(g)), the Secretary of Health and
5 Human Services shall not take any action (through pro-
6 mulgation of regulation, issue of regulatory guidance, or
7 otherwise) to—

8 (1) finalize or otherwise implement provisions
9 contained in the proposed rule published on Novem-
10 ber 18, 2019, on pages 63722 through 63785 of vol-
11 ume 84, Federal Register (relating to parts 430,
12 433, 447, 455, and 457 of title 42, Code of Federal
13 Regulations); or

14 (2) promulgate or implement any rule or provi-
15 sion similar to the provisions described in paragraph
16 (1) pertaining to the Medicaid program established
17 under title XIX of the Social Security Act (42
18 U.S.C. 1396 et seq.) or the State Children’s Health
19 Insurance Program established under title XXI of
20 such Act (42 U.S.C. 1397aa et seq.).

21 (b) CONTINUATION OF OTHER SECRETARIAL AU-
22 THORITY.—Nothing in this section shall be construed as
23 prohibiting the Secretary during the period described in
24 subsection (a) from taking any action (through promulga-
25 tion of regulation, issuance of regulatory guidance, or

1 other administrative action) to enforce a provision of law
2 in effect as of the date of enactment of this section with
3 respect to the Medicaid program established under title
4 XIX of the Social Security Act (42 U.S.C. 1396 et seq.)
5 or the State Children’s Health Insurance Program estab-
6 lished under title XXI of such Act (42 U.S.C. 1397aa et
7 seq.), or to promulgate or implement a new rule or provi-
8 sion during such period with respect to such programs,
9 other than a rule or provision described in subsection (a)
10 and subject to the prohibition set forth in that subsection.

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