To amend title XIX of the Social Security Act to clarify the treatment of Medicaid EHR incentive payments for federally qualified health centers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION RELATING TO MEDICAID EHR INCENTIVE PAYMENTS FOR FEDERALLY QUALIFIED HEALTH CENTERS.

(a) In general.—Section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) is amended—

(1) in paragraph (3)(E) by striking “or by a State or local government” and inserting “, by a State or local government, or in the case of payment
made to a federally qualified health center as pro-
vided in subsection (6)(A)(i)”;

(2) in paragraph (6)—

(A) in subparagraph (A)(i), by inserting
“or, in the case of a provider who practices pre-
dominantly in a federally qualified health cen-
ter, directly to such center” after “(or to a em-
ployer or facility to which such provider has as-
signed payments”; and

(B) by adding at the end the following new
sentence: “For purposes of subparagraphs (B)
and (C), for each provider practicing predomi-
nantly in a federally qualified health center, the
requirements described in such subparagraphs
shall apply to the federally qualified health cen-
ter.”; and

(3) by adding at the end the following new
paragraph:

“(11) Nothing in this subsection shall be con-
strued to allow duplicate payments to both a Med-
icaid provider who practices predominantly in a fed-
erally qualified health center and the federally qual-
ified health center.”.

(b) IMPLEMENTATION.—Notwithstanding any other
provision of law, the Secretary of Health and Human
Services may implement the amendments made by this section by program instruction or otherwise.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).