H. R. 8167

To amend the Paycheck Protection Program and Health Care Enhancement Act to expand the appropriations under the Public Health and Social Services Emergency Fund to include the scale up of testing by veterinary and biotechnology company laboratories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 4, 2020

Mr. Crist introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Paycheck Protection Program and Health Care Enhancement Act to expand the appropriations under the Public Health and Social Services Emergency Fund to include the scale up of testing by veterinary and biotechnology company laboratories, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Coronavirus Testing Capacity Expansion Act”.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
3
4  SECTION 1. SHORT TITLE.
5  This Act may be cited as the “Coronavirus Testing
SEC. 2. EXPANSION OF APPROPRIATIONS AND ESTABLISHMENT OF DIRECT REIMBURSEMENT PROGRAM.

(a) Expansion of Appropriations Under the Public Health and Social Services Emergency Fund.—The second paragraph of “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” of title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139) is amended by striking “and hospital laboratories” each place it appears and inserting “hospital, veterinary, and biotechnology company laboratories”.

(b) Direct Reimbursement Program for Certain COVID–19 Items and Services.—

(1) In General.—Notwithstanding any other provision of law, during the specified period, the Secretary of Health and Human Services (in this subsection, referred to as the “Secretary”) shall carry out a program that reimburses an eligible entity that furnishes an eligible item or service.

(2) Use of Funds.—In addition to the purposes specified in the second paragraph of “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” of title I of division B of the Paycheck
Protection Program and Health Care Enhancement Act (Public Law 116–139), an eligible entity may use funds to hire and train staff (including administrative staff or individuals who conduct testing for COVID–19).

(3) CLAIMS FOR REIMBURSEMENT.—

(A) CLAIMS.—An eligible entity may only submit to the Secretary a claim for reimbursement of an eligible item or service furnished by such entity.

(B) REIMBURSEMENT.—Upon receipt of a valid claim for reimbursement described in subparagraph (A), the Secretary shall reimburse an eligible entity an amount for an eligible item or service (as determined by the Secretary).

(4) PROHIBITION OF COST-SHARING.—An eligible entity may not impose any cost-sharing for an eligible item or service.

(c) DEFINITIONS.—In this Act:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) any laboratory that has not submitted a claim for reimbursement for an eligible item or service before the date of the enactment of this Act; and
(B) any laboratory that is not a subsidiary
of a laboratory that has submitted a claim for
reimbursement for an eligible item or service
before the date of the enactment of this Act.

(2) **ELIGIBLE ITEM OR SERVICE.**—The term
“eligible item or service” is an item or service that
is specified under title I of the Paycheck Protection
Program and Health Care Enhancement Act (Public
Law 116–139).

(3) **SPECIFIED PERIOD.**—The term “specified
period” means the period—

(A) beginning on the first day of the emer-
gency period described in section 1135(g)(1)(B)
of the Social Security Act (42 U.S.C. 1320b–
5(g)(1)(B)); and

(B) ending on the date that is the later of
the—

(i) the last day of the emergency pe-
riod; or

(ii) the day on which funds appro-
priated under the second paragraph of
“Department of Health and Human
Serves—Office of the Secretary—Public
Health and Social Services Emergency
Fund” of title I of division B of the Pay-
check Protection Program and Health Care Enhancement Act (Public Law 116–139) are available.