

106TH CONGRESS  
2D SESSION

# H. R. 4075

To require each State to provide a minimum level of access to health care to all citizens of such State as a condition for participation in Federal health care funding programs.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2000

Mr. FATTAH (for himself, Mr. BRADY of Pennsylvania, Ms. CARSON, and Mr. OWENS) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Resources, 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

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## A BILL

To require each State to provide a minimum level of access to health care to all citizens of such State as a condition for participation in Federal health care funding programs.

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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Health Care Access Assurance Act of 2000”.

6 (b) FINDINGS.—The Congress finds the following:

1           (1) Access to health care is a basic right pro-  
2       tected by the Constitution of the United States.

3           (2) Each State should determine the minimum  
4       level of health services to be provided within such  
5       State.

6           (3) Any health care system operated by a State  
7       that does not provide access to health care to all citi-  
8       zens of such state is in violation of the fourteenth  
9       amendment to the Constitution of the United States.

10          (4) Federal funds may not be employed to sup-  
11       port State health care systems that are unconstitu-  
12       tional.

13   **SEC. 2. MINIMUM ACCESS REQUIREMENT.**

14       (a) IN GENERAL.—Not later than October 1, 2005,  
15   the Secretary of Health and Human Services shall require  
16   each State to certify that all citizens of such State have  
17   access to a minimum level of health care coverage as de-  
18   fined by such State. The Secretary may remove or recon-  
19   sider a State’s certification for cause.

20       (b) PENALTY.—Any State unable to certify that all  
21   citizens of such State have access to a minimum level of  
22   health care coverage shall be ineligible for funding from  
23   the Health Resources and Services Administration, the In-  
24   dian Health Service Administration, the Substance Abuse  
25   and Mental Health Services, and the Health Care Financ-

- 1 ing Administration, to support the health care system in
- 2 such State.

