

107TH CONGRESS
2D SESSION

H. R. 5170

To amend title XVIII of the Social Security Act to require home health agencies participating in the Medicare Program to conduct criminal background checks for all applicants for employment as patient care providers.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2002

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 require home health agencies participating in the Medicare Program to conduct criminal background checks for all applicants for employment as patient care providers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REQUIRING MEDICARE HOME HEALTH AGEN-**
2 **CIES TO CONDUCT CRIMINAL BACKGROUND**
3 **CHECKS ON ALL APPLICANTS FOR EMPLOY-**
4 **MENT AS PATIENT CARE PROVIDERS.**

5 (a) IN GENERAL.—Section 1891(a) of the Social Se-
6 curity Act (42 U.S.C. 1395bbb(a)) is amended by adding
7 at the end the following new paragraph:

8 “(7) The agency submits to the Attorney Gen-
9 eral a criminal background request described in sec-
10 tion 124(a) of the Departments of Commerce, Jus-
11 tice, and State, the Judiciary and Related Agencies
12 Appropriations Act, 1999 (as contained in section
13 101(b) of division A of Public Law 105–277) for
14 each applicant for employment in a position involved
15 in direct patient care.”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) applies to applications for employment
18 made on or after 90 days after the date of the enactment
19 of this Act.

