

107TH CONGRESS  
1ST SESSION

# S. 1606

To amend title XI of the Social Security Act to prohibit Federal funds from being used to provide payments under a Federal health care program to any health care provider who charges a membership or any other extraneous or incidental fee to a patient as a prerequisite for the provision of an item or service to the patient.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2001

Mr. NELSON of Florida (for himself, Mr. DURBIN, and Mr. EDWARDS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XI of the Social Security Act to prohibit Federal funds from being used to provide payments under a Federal health care program to any health care provider who charges a membership or any other extraneous or incidental fee to a patient as a prerequisite for the provision of an item or service to the patient.

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.**

4       This Act may be cited as the “Equal Access to Care  
5   Act of 2001”.

1 **SEC. 2. LIMITATION ON PAYMENTS TO PROVIDERS UNDER**  
 2 **A FEDERAL HEALTH CARE PROGRAM.**

3 (a) IN GENERAL.—Title XI of the Social Security Act  
 4 (42 U.S.C. 1301 et seq.) is amended by inserting after  
 5 section 1128F the following new section:

6 **“SEC. 1128G. LIMITATION ON PAYMENTS TO PROVIDERS**  
 7 **UNDER A FEDERAL HEALTH CARE PROGRAM.**

8 “(a) IN GENERAL.—No Federal funds shall be used  
 9 to provide payments under a Federal health care program  
 10 to any physician (as defined in section 1861(r)), practi-  
 11 tioner (as described in section 1842(b)(18)(C)), or other  
 12 individual who charges a membership fee or any other ex-  
 13 traneous or incidental fee to a patient, or requires a pa-  
 14 tient to purchase an item or service, as a prerequisite for  
 15 the provision of an item or service to the patient.

16 “(b) FEDERAL HEALTH CARE PROGRAM DE-  
 17 FINED.—In this section, the term ‘Federal health care  
 18 program’ has the meaning given that term under section  
 19 1128B(f) except that, for purposes of this section, such  
 20 term includes the health insurance program under chapter  
 21 89 of title 5, United States Code.”.

22 (b) EFFECTIVE DATE.—The amendment made by  
 23 subsection (a) applies to payments made on or after the  
 24 date of enactment of this Act.

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