

110TH CONGRESS
1ST SESSION

H. R. 1741

To impose a 2-year moratorium on implementation of a proposed rule relating to the Federal-State financial partnerships under Medicaid and the State Children's Health Insurance Program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2007

Mr. KLEIN of Florida (for himself, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. CRENSHAW, and Mr. SALAZAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To impose a 2-year moratorium on implementation of a proposed rule relating to the Federal-State financial partnerships under Medicaid and the State Children's Health Insurance Program.

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. MORATORIUM ON IMPLEMENTATION OF PRO-**
4 **POSED RULE RELATING TO THE FEDERAL-**
5 **STATE FINANCIAL PARTNERSHIPS UNDER**
6 **MEDICAID AND SCHIP.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) The proposed rule published on January 18,
2 2007, on pages 2236 through 2248 of volume 72,
3 Federal Register (relating to parts 433, 447, and
4 457 of title 42, Code of Federal Regulations) would
5 significantly change the Federal-State financial part-
6 nership under the Medicaid and the State Children’s
7 Health Insurance Programs by—

8 (A) imposing a cost limit on payments
9 made under such programs to governmentally
10 operated providers;

11 (B) limiting the permissible sources of the
12 non-Federal shares required under such pro-
13 grams and the types of entities permitted to
14 contribute to such shares; and

15 (C) imposing new requirements on partici-
16 pating providers under such programs.

17 (2) More time is needed to determine how the
18 proposed rule would impact States, particularly with
19 respect to those States with Medicaid or State Chil-
20 dren’s Health Insurance Programs that are oper-
21 ating under financing arrangements that have been
22 approved by the Secretary of Health and Human
23 Services through the waiver process established
24 under section 1115 of the Social Security Act and
25 have been properly following the intent and purpose

1 for which such funding arrangements were estab-
2 lished.

3 (3) Permitting the proposed rule to take effect
4 without allowing sufficient time for further study of
5 the effect of the implementation of the rule could
6 have a negative impact for States, particularly
7 States with Medicaid or State Children's Health In-
8 surance Programs operating under financing ar-
9 rangements that would be affected by such rule and
10 that have been approved by the Secretary of Health
11 and Human Services through the section 1115 waiv-
12 er process.

13 (b) PROHIBITION AGAINST MEDICAID RESTRIC-
14 TIONS.—The Secretary of Health and Human Services
15 shall not, at any time before the end of the 2-year period
16 beginning on the date of the enactment of this Act, take
17 any action to finalize (or otherwise implement) provisions
18 contained in the proposed rule published on January 18,
19 2007, on pages 2236 through 2248 of volume 72, Federal
20 Register (relating to parts 433, 447, and 457 of title 42,
21 Code of Federal Regulations) or to restrict payments
22 under title XIX of the Social Security Act for graduate
23 medical education.

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