

110TH CONGRESS  
1ST SESSION

# H. R. 2066

To amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid Program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2007

Mr. OLVER (for himself, Mr. BARROW, Mr. BOUCHER, Mrs. CAPP, Ms. HERSETH SANDLIN, Mr. HINCHEY, Mr. KILDEE, Mr. MARKEY, Mr. McDERMOTT, Mr. POMEROY, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. SHAYS, Mr. LATOURETTE, Mr. ENGLISH of Pennsylvania, Mr. AL GREEN of Texas, and Ms. BALDWIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid 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. SHORT TITLE.**

4       This Act may be cited as the “Medicaid Advanced  
5       Practice Nurses and Physician Assistants Access Act of  
6       2007”.

1   **SEC. 2. IMPROVED ACCESS TO SERVICES OF ADVANCED**  
2                   **PRACTICE NURSES AND PHYSICIAN ASSIST-**  
3                   **ANTS UNDER STATE MEDICAID PROGRAMS.**

4       (a) PRIMARY CARE CASE MANAGEMENT.—Section  
5   1905(t)(2) of the Social Security Act (42 U.S.C.  
6   1396d(t)(2)) is amended by striking subparagraph (B)  
7   and inserting the following:

8               “(B) A nurse practitioner (as defined in section  
9   1861(aa)(5)(A)).

10               “(C) A certified nurse-midwife (as defined in  
11   section 1861(gg)).

12               “(D) A physician assistant (as defined in sec-  
13   tion 1861(aa)(5)(A)).”.

14       (b) FEE-FOR-SERVICE PROGRAM.—Section  
15   1905(a)(21) of such Act (42 U.S.C. 1396d(a)(21)) is  
16   amended—

17               (1) by inserting “(A)” after “(21)”;  
18               (2) by striking “services furnished by a certified  
19   pediatric nurse practitioner or certified family nurse  
20   practitioner (as defined by the Secretary) which the  
21   certified pediatric nurse practitioner or certified  
22   family nurse practitioner” and inserting “services  
23   furnished by a nurse practitioner (as defined in sec-  
24   tion 1861(aa)(5)(A)) or by a clinical nurse specialist  
25   (as defined in section 1861(aa)(5)(B)) which the  
26   nurse practitioner or clinical nurse specialist”;

5 (4) by inserting before the semicolon at the end  
6 the following: “and (B) services furnished by a phy-  
7 sician assistant (as defined in section 1861(aa)(5))  
8 with the supervision of a physician which the physi-  
9 cian assistant is legally authorized to perform under  
10 State law”.

11 (c) INCLUDING IN MIX OF SERVICE PROVIDERS  
12 UNDER MEDICAID MANAGED CARE ORGANIZATIONS.—  
13 Section 1932(b)(5)(B) of such Act (42 U.S.C. 1396u–  
14 2(b)(5)(B)) is amended by inserting “, with such mix in-  
15 cluding nurse practitioners, clinical nurse specialists, phy-  
16 sician assistants, certified nurse midwives, and certified  
17 registered nurse anesthetists (as defined in section  
18 1861(bb)(2))” after “services”.

19 (d) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply to items and services furnished in  
21 calendar quarters beginning on or after 90 days after the  
22 date of the enactment of this Act, without regard to  
23 whether or not final regulations to carry out such amend-  
24 ments have been promulgated by such date.

