

111TH CONGRESS
2D SESSION

H. R. 6348

To amend title XIX of the Social Security Act to clarify the treatment of Medicaid EHR incentive payments for federally qualified health centers.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Mr. KRATOVIL introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to clarify the treatment of Medicaid EHR incentive payments for federally qualified health centers.

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. CLARIFICATION RELATING TO MEDICAID EHR**
4 **INCENTIVE PAYMENTS FOR FEDERALLY**
5 **QUALIFIED HEALTH CENTERS.**

6 (a) IN GENERAL.—Section 1903(t) of the Social Se-
7 curity Act (42 U.S.C. 1396b(t)) is amended—

8 (1) in paragraph (3)(E) by striking “or by a
9 State or local government” and inserting “, by a
10 State or local government, or in the case of payment

1 made to a federally qualified health center as pro-
2 vided in subsection (6)(A)(i)”;

3 (2) in paragraph (6)—

4 (A) in subparagraph (A)(i), by inserting
5 “or, in the case of a provider who practices pre-
6 dominantly in a federally qualified health cen-
7 ter, directly to such center” after “(or to a em-
8 ployer or facility to which such provider has as-
9 signed payments”; and

10 (B) by adding at the end the following new
11 sentence: “For purposes of subparagraphs (B)
12 and (C), for each provider practicing predomi-
13 nantly in a federally qualified health center, the
14 requirements described in such subparagraphs
15 shall apply to the federally qualified health cen-
16 ter.”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(11) Nothing in this subsection shall be con-
20 strued to allow duplicate payments to both a Med-
21 icaid provider who practices predominantly in a fed-
22 erally qualified health center and the federally quali-
23 fied health center.”.

24 (b) IMPLEMENTATION.—Notwithstanding any other
25 provision of law, the Secretary of Health and Human

1 Services may implement the amendments made by this
2 section by program instruction or otherwise.

3 (c) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall be effective as if included in the enact-
5 ment of the American Recovery and Reinvestment Act of
6 2009 (Public Law 111–5).

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