

114TH CONGRESS
1ST SESSION

H. R. 3100

To prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2015

Mr. TOM PRICE of Georgia introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records.

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 “Medical Practice Free-
5 dom Act of 2015”.

1 **SEC. 2. HEALTH CARE PROVIDER LICENSURE CANNOT BE**
2 **CONDITIONED ON PARTICIPATION IN A**
3 **HEALTH PLAN OR THE MEANINGFUL USE OF**
4 **ELECTRONIC HEALTH RECORDS.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services and any State (as a condition of receiving
7 Federal financial participation under title XIX of the So-
8 cial Security Act) may not require any health care pro-
9 vider, as a condition of licensure of the provider in any
10 State—

11 (1) to participate in any health plan; or

12 (2) to comply with any requirements relating to
13 the meaningful use of electronic health records (in-
14 cluding under part 170 of title 45, Code of Federal
15 Regulations).

16 (b) DEFINITIONS.—In this section:

17 (1) HEALTH PLAN.—The term “health plan”
18 has the meaning given such term in section 1171(5)
19 of the Social Security Act (42 U.S.C. 1320d(5)),
20 and includes a basic health program established
21 under section 1331 of the Patient Protection and
22 Affordable Care Act (42 U.S.C. 18051), a qualified
23 health plan offered by a qualified nonprofit health
24 insurance issuer under the Consumer Operated and
25 Oriented Plan (CO-OP) program under section
26 1322 of such Act (42 U.S.C. 18042), a qualified

1 health plan offered under a health care choice com-
2 pact under section 1333 of such Act (42 U.S.C.
3 18053), a multi-State qualified health plan offered
4 under section 1334 of such Act (42 U.S.C. 18054),
5 or other health plan offered under title I of such
6 Act.

7 (2) HEALTH CARE PROVIDER.—The term
8 “health care provider” means any person or entity
9 that is required by State or Federal laws or regula-
10 tions to be licensed, registered, or certified to pro-
11 vide health care services and is so licensed, reg-
12 istered, or certified, or exempted from such require-
13 ment by other statute or regulation.

14 (3) STATE.—The term “State” has the mean-
15 ing given such term for purposes of title XIX of the
16 Social Security Act.

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