

117TH CONGRESS  
1ST SESSION

# H. R. 5627

To amend titles XVIII and XIX of the Social Security Act to prohibit certain vaccine mandates as conditions of participation under the Medicare and Medicaid programs.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2021

Mr. LATTA introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend titles XVIII and XIX of the Social Security Act to prohibit certain vaccine mandates as conditions of participation under the Medicare and Medicaid programs.

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 “Health Care Workforce  
5 Protection from Mandates Act”.

1 **SEC. 2. PROHIBITING UNDER MEDICARE AND MEDICAID**  
2 **CERTAIN VACCINE MANDATES AS CONDI-**  
3 **TIONS OF PARTICIPATION.**

4 (a) **MEDICARE.**—Section 1866 of the Social Security  
5 Act (42 U.S.C. 1395cc) is amended by adding at the end  
6 the following new subsection:

7 “(l) **LIMITATION.**—Notwithstanding any other provi-  
8 sion of this title, the Secretary may not require, as a con-  
9 dition to participate under this title or to be eligible to  
10 receive payment, reimbursement, or a contract under this  
11 title, a provider of services or supplier to mandate  
12 COVID–19 vaccinations for the employees or contractors  
13 of such provider of services or supplier unless before im-  
14 plementing such requirement, with respect to providers of  
15 services and suppliers, the Secretary certifies that such re-  
16 quirement would not result in any staffing shortages for  
17 such providers of services and suppliers.”.

18 (b) **MEDICAID.**—Section 1902 of the Social Security  
19 Act (42 U.S.C. 1396a) is amended by adding at the end  
20 the following new subsection:

21 “(tt) **LIMITATION.**—Notwithstanding any other pro-  
22 vision of this title, the Secretary may not require, as a  
23 condition to provide services under a State plan under this  
24 title (or waiver of such plan) or to be eligible to receive  
25 payment, reimbursement, or a contract under such State  
26 plan (or waiver), an individual or entity to mandate

1 COVID–19 vaccinations for the employees or contractors  
2 of such individual or entity unless before implementing  
3 such requirement, with respect to individuals and entities,  
4 the Secretary certifies that such requirement would not  
5 result in any staffing shortages for such individuals and  
6 entities.”.

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