

115TH CONGRESS  
2D SESSION

# H. R. 6524

To amend title XIX of the Social Security Act to streamline enrollment of certain Medicaid providers and suppliers across State lines, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2018

Mr. KENNEDY (for himself, Mr. BEN RAY LUJÁN of New Mexico, Ms. HERRERA BEUTLER, and Mr. MCKINLEY) 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 streamline enrollment of certain Medicaid providers and suppliers across State lines, and for other purposes.

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 “Accelerating Kids’ Ac-  
5 cess to Care Act”.

1 **SEC. 2. STREAMLINED SCREENING AND ENROLLMENT**  
2 **PROCESS FOR ELIGIBLE OUT-OF-STATE MED-**  
3 **ICAID PROVIDERS AND SUPPLIERS.**

4 (a) IN GENERAL.—Section 1902(kk) of the Social Se-  
5 curity Act (42 U.S.C. 1396a(kk)) is amended by adding  
6 at the end the following new paragraph:

7 “(10) STREAMLINED SCREENING AND ENROLL-  
8 MENT PROCESS FOR ELIGIBLE OUT-OF-STATE PRO-  
9 VIDERS AND SUPPLIERS.—

10 “(A) IN GENERAL.—Subject to subsection  
11 (a)(65), the State adopts a streamlined screen-  
12 ing and enrollment process for eligible out-of-  
13 State providers and suppliers.

14 “(B) STREAMLINED SCREENING AND EN-  
15 ROLLMENT PROCESS.—For purposes of sub-  
16 paragraph (A), the term ‘streamlined screening  
17 and enrollment process’ means a process that  
18 enables an eligible out-of-State provider or sup-  
19 plier to enroll as a provider or supplier in the  
20 State plan on a simplified and streamlined basis  
21 in accordance with the requirements of sub-  
22 paragraph (D).

23 “(C) ELIGIBLE OUT-OF-STATE PROVIDER  
24 OR SUPPLIER.—For purposes of subparagraph  
25 (A), the term ‘eligible out-of-State provider or  
26 supplier’ means a provider or supplier of med-

1           ical or other items or services furnished to a  
2           child for which payment is available under the  
3           State plan under this title that is located in an-  
4           other State and with respect to which the Sec-  
5           retary has determined there is a limited risk of  
6           fraud, waste, or abuse for purposes of deter-  
7           mining the level of screening to be conducted  
8           under section 1866(j)(2)(B).

9           “(D) REQUIREMENTS.—For purposes of  
10          subparagraph (B), the requirements of this sub-  
11          paragraph are the following:

12                 “(i) An eligible out-of-State provider  
13                 or supplier that elects to be and is enrolled  
14                 in the program established under this title  
15                 in accordance with the process established  
16                 by the Secretary under section 2(b) of the  
17                 Accelerating Kids’ Access to Care Act is  
18                 enrolled in the State plan under this title  
19                 without being subject to any additional  
20                 screening and enrollment activities re-  
21                 quired by the State.

22                 “(ii) An eligible out-of-State provider  
23                 or supplier that is enrolled in the State  
24                 plan through the streamlined screening  
25                 and enrollment process shall be enrolled

1           for a period of 5 years before being re-  
2           quired to obtain revalidation.

3           “(iii) An eligible out-of-State provider  
4           or supplier that is enrolled in the State  
5           plan through the streamlined screening  
6           and enrollment process shall be permitted  
7           to order all clinically necessary follow-up  
8           care, including with respect to the pre-  
9           scribing of medications.”.

10       (b) COORDINATION WITH MEDICARE.—The Sec-  
11       retary shall establish a process for permitting a provider  
12       or a supplier, as the case may be, the option when enroll-  
13       ing in the program established under the Medicare pro-  
14       gram under title XVIII of the Social Security Act pursu-  
15       ant to subpart P of part 424 of title 42, Code of Federal  
16       Regulations (or any successor regulation), to elect, at the  
17       same time, to enroll in the Medicaid program under title  
18       XIX of such Act for purposes of all State plans under  
19       such title XIX. The Secretary may utilize the Medicare  
20       Provider Enrollment, Chain and Ownership System (re-  
21       ferred to as “PECOS”), or another national, standard-  
22       ized, and widely accessible platform to establish such proc-  
23       ess.

24       (c) CONFORMING AMENDMENTS.—

1           (1) Section 1902(a)(77) of the Social Security  
2 Act (42 U.S.C. 1396a(a)(77)) is amended by insert-  
3 ing “enrollment,” after “screening,”.

4           (2) Section 1902(kk) of such Act (42 U.S.C.  
5 1396a(kk)), as amended by subsection (a), is further  
6 amended—

7           (A) in the subsection heading, by inserting  
8 “ENROLLMENT,” after “SCREENING,”; and

9           (B) in paragraph (9), by striking “Noth-  
10 ing” and inserting “Except as provided in para-  
11 graph (10)(D)(i), nothing”.

12          (3) Section 2107(e)(1)(G) of such Act (42  
13 U.S.C. 1397gg(e)(1)(G)) is amended by inserting  
14 “enrollment,” after “screening,”.

15 (d) EFFECTIVE DATE.—

16          (1) IN GENERAL.—Except as provided in para-  
17 graph (2), the amendments made by this section  
18 take effect on January 1, 2019.

19          (2) EXCEPTION FOR STATE LEGISLATION.—In  
20 the case of a State plan for medical assistance under  
21 title XIX of the Social Security Act or a State child  
22 health plan under title XXI of such Act which the  
23 Secretary of Health and Human Services determines  
24 requires State legislation (other than legislation ap-  
25 propriating funds) in order for the plan to meet the

1 additional requirements imposed by the amendments  
2 made by this section, such State plan shall not be  
3 regarded as failing to comply with the requirements  
4 of such title solely on the basis of its failure to meet  
5 these additional requirements before the first day of  
6 the first calendar quarter beginning after the close  
7 of the first regular session of the State legislature  
8 that begins after the date of the enactment of this  
9 Act. For purposes of the previous sentence, in the  
10 case of a State that has a 2-year legislative session,  
11 each year of such session shall be deemed to be a  
12 separate regular session of the State legislature.

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