

118TH CONGRESS
2D SESSION

H. R. 8284

To amend title XI of the Social Security Act to exclude providers of certain abortion services from participation in the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2024

Mr. STEUBE (for himself, Mr. DUNCAN, Mrs. LESKO, Mr. CRENSHAW, and Mr. DAVIDSON) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend title XI of the Social Security Act to exclude providers of certain abortion services from participation in the Medicare 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 “Women’s Protection
5 in Telehealth Act”.

1 **SEC. 2. EXCLUDING PROVIDERS OF CERTAIN ABORTION**
2 **SERVICES FROM PARTICIPATION IN THE**
3 **MEDICARE PROGRAM.**

4 Section 1128 of the Social Security Act (42 U.S.C.
5 1320a-7) is amended—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “(or, in the case of individuals and
9 entities described in paragraph (5), from par-
10 ticipation in the Medicare program under title
11 XVIII)” after “(as defined in section
12 1128B(f))”; and

13 (B) by inserting after paragraph (4) the
14 following new paragraph:

15 “(5) PROVISION OF ABORTION-INDUCING
16 DRUGS.—Any individual or entity that, on or after
17 the date of the enactment of this paragraph, pre-
18 scribes, administers, dispenses, or furnishes an abor-
19 tion-inducing drug to a patient, unless such indi-
20 vidual or entity—

21 “(A) is a physician;

22 “(B) physically examines the patient;

23 “(C) is physically present in the same
24 room with the patient at the time the patient
25 is administered, takes, or uses (as applicable)
26 such drug; and

1 “(D) schedules an in-person follow-up visit
2 for the patient to occur not more than 14 days
3 after the patient is administered, takes, or uses
4 (as applicable) such drug.”; and

5 (2) in subsection (c)(3)—

6 (A) in subparagraph (A), by striking “sub-
7 section (b)(12)” and inserting “subsection
8 (a)(5) or (b)(12)”;

9 (B) in subparagraph (B), by striking “sub-
10 paragraph (G)” and inserting “subparagraphs
11 (G) and (H)”;

12 (C) in subparagraph (G), by inserting
13 “(other than under paragraph (5) of such sub-
14 section)” after “subsection (a)”;

15 (D) by adding at the end the following new
16 subparagraph:

17 “(H) In the case of an exclusion under subsection
18 (a)(5), the exclusion shall be permanent.”;

19 (3) in subsection (d), by adding at the end the
20 following new paragraph:

21 “(4) The provisions of this subsection shall not apply
22 in the case of an exclusion under subsection (a)(5).”;

23 (4) in subsection (g), by adding at the end the
24 following new paragraph:

1 “(4) The provisions of this subsection shall not apply
2 in the case of an exclusion under subsection (a)(5).”; and

3 (5) by adding at the end the following new sub-
4 section:

5 “(k) ABORTION-INDUCING DRUG DEFINED.—

6 “(1) IN GENERAL.—For purposes of subsection
7 (a), the term ‘abortion-inducing drug’ means any
8 medicine, drug, or any other substance that is pre-
9 scribed, administered, dispensed, or furnished with
10 the intent of terminating the clinically diagnosable
11 pregnancy of a woman and with knowledge that the
12 termination will with reasonable likelihood cause the
13 death of the unborn child (including the off-label use
14 of any such drug).

15 “(2) UNBORN CHILD.—The term ‘unborn child’
16 has the meaning given such term in section 1841 of
17 title 18, United States Code.”.

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