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

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself, Mr. BENNET, Mr. BROWN, and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers 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”.
SEC. 2. STREAMLINED ENROLLMENT PROCESS FOR ELIGIBLE OUT-OF-STATE PROVIDERS UNDER THE MEDICAID PROGRAM.

(a) In General.—Section 1902(kk) of the Social Security Act (42 U.S.C. 1396a(kk)) is amended by adding at the end the following new paragraph:

“(10) Streamlined enrollment process for eligible out-of-state providers.—

“(A) In general.—The State adopts and implements a process that enables an eligible out-of-State provider to enroll as a provider in the State plan without the imposition of additional screening requirements by the State. An eligible out-of-State provider that enrolls in the State plan through such process shall be so enrolled for a 5-year period and may revalidate such enrollment through such process for subsequent 5-year periods.

“(B) Definitions.—In this paragraph:

“(i) Eligible out-of-state provider.—The term ‘eligible out-of-State provider’ means, with respect to a State, a provider—

“(I) that furnishes to qualifying individuals any item or service for
which payment is available under the
State plan of the State;

“(II) that is located in any other
State;

“(III) with respect to which the
Secretary has determined there is a
limited risk of fraud, waste, or abuse
for purposes of determining the level
of screening to be conducted under
section 1866(j)(2)(B);

“(IV) that has been screened
under such section 1866(j)(2)(B) for
purposes of enrolling in the Medicare
program under title XVIII or the
State plan of the State in which such
provider is located; and

“(V) that has not been excluded
from participation in the Medicare
program under such title or the Med-
icaid program under this title.

“(ii) QUALIFYING INDIVIDUAL.—The
term ‘qualifying individual’ means, with re-
spect to an eligible out-of-State provider—

“(I) an individual under 18 years
of age to whom the provider furnishes
items and services for the treatment of a condition; and

“(II) an individual 18 years of age or older to whom the provider furnishes items and services for the treatment of a condition that onset before such individual attained 18 years of age.”.

(b) CONFORMING AMENDMENTS.—

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

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

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

(B) in paragraph (9), by striking “Nothing” and inserting “Except as provided in paragraph (10), nothing”.

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

(c) EFFECTIVE DATE.—
(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on January 1, 2022.

(2) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a State child health plan under title XXI of such Act (42 U.S.C. 1397aa et seq.) which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, such State plan or State child health plan shall not be regarded as failing to comply with the requirements of such title XIX or title XXI, respectively, solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.