

107TH CONGRESS
1ST SESSION

H. R. 3594

To amend title XIX of the Social Security Act to improve access to advanced practice nurses under the Medicaid Program.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2001

Mr. OLVER (for himself, Mr. MCGOVERN, Mr. FRANK, Mr. SERRANO, Mr. FROST, Mr. STRICKLAND, and Mr. HINCHEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to improve access to advanced practice nurses under the Medicaid 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 “Medicaid Nursing In-
5 centive Act of 2001”.

1 **SEC. 2. IMPROVED ACCESS TO SERVICES OF ADVANCED**
2 **PRACTICE NURSES UNDER STATE MEDICAID**
3 **PROGRAMS.**

4 (a) PRIMARY CARE CASE MANAGEMENT.—Section
5 1905(t)(2) of the Social Security Act (42 U.S.C.
6 1396d(t)(2)) is amended by striking subparagraph (B)
7 and inserting the following:

8 “(B) A nurse practitioner.

9 “(C) A certified nurse-midwife (as defined in
10 section 1861(gg)).

11 “(D) A physician assistant (as defined in sec-
12 tion 1861(aa)(5)).”.

13 (b) FEE-FOR-SERVICE PROGRAM.—Section
14 1905(a)(21) of such Act (42 U.S.C. 1396d(a)(21)) is
15 amended—

16 (1) by striking “services furnished by a certified
17 pediatric nurse practitioner or certified family nurse
18 practitioner (as defined by the Secretary) which the
19 certified pediatric nurse practitioner or certified
20 family nurse practitioner” and inserting “services
21 furnished by a certified nurse practitioner (as de-
22 fined by the Secretary) or a clinical nurse specialist
23 (as defined in section 1861(aa)(5)(B)) which the
24 practitioner or specialist”; and

1 (2) by striking “certified pediatric nurse practi-
2 tioner or certified family nurse practitioner” and in-
3 serting “practitioner or specialist”.

4 (c) INCLUDING IN MIX OF SERVICE PROVIDERS
5 UNDER MEDICAID MANAGED CARE ORGANIZATIONS.—
6 Section 1932(b)(5)(B) of such Act (42 U.S.C. 1396u-
7 2(b)(5)(B)) is amended by inserting “, with such mix in-
8 cluding certified nurse practitioners and clinical nurse spe-
9 cialists” after “services”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to items and services furnished in
12 calendar quarters beginning on or after January 1, 2003,
13 without regard to whether or not final regulations to carry
14 out such amendments have been promulgated by such
15 date.

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