

110TH CONGRESS  
2D SESSION

# H. R. 5657

To clarify the authority of States to use funds as the non-Federal share of Medicaid expenditures for certain regional medical centers.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2008

Mr. COHEN introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To clarify the authority of States to use funds as the non-Federal share of Medicaid expenditures for certain regional medical centers.

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. CLARIFICATION OF TREATMENT OF STATE AU-**  
4 **THORITY TO USE FUNDS AS THE NON-FED-**  
5 **ERAL SHARE OF MEDICAID EXPENDITURES**  
6 **FOR CERTAIN REGIONAL MEDICAL CENTERS.**

7 (a) IN GENERAL.—Nothing in section 1903(w) of the  
8 Social Security Act (42 U.S.C. 1396b(w)) shall be con-  
9 strued by the Secretary of Health and Human Services  
10 as prohibiting a State's use of funds as the non-Federal

1 share of expenditures under title XIX of such Act where  
2 such funds are transferred from or certified by a publicly-  
3 owned regional medical center located in another State  
4 and described in subsection (b), so long as the Secretary  
5 determines that such use of funds is proper and in the  
6 interest of the program under title XIX.

7 (b) CENTER DESCRIBED.—A center described in this  
8 subsection is a publicly-owned regional medical center  
9 that—

10 (1) provides level 1 trauma and burn care serv-  
11 ices;

12 (2) provides level 3 neonatal care services;

13 (3) is obligated to serve all patients, regardless  
14 of ability to pay;

15 (4) is located within a Standard Metropolitan  
16 Statistical Area (SMSA) that includes at least 3  
17 States;

18 (5) provides services as a tertiary care provider  
19 for patients residing within a 125-mile radius; and

20 (6) meets the criteria for a disproportionate  
21 share hospital under section 1923 of such Act (42  
22 U.S.C. 1396r-4) in at least one State other than the  
23 State in which the center is located.

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