

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

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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 \_\_\_\_\_

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**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”.

1 **SEC. 2. STREAMLINED ENROLLMENT PROCESS FOR ELIGI-**  
2 **BLE OUT-OF-STATE PROVIDERS UNDER THE**  
3 **MEDICAID PROGRAM.**

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 ENROLLMENT PROCESS  
8 FOR ELIGIBLE OUT-OF-STATE PROVIDERS.—

9 “(A) IN GENERAL.—The State adopts and  
10 implements a process that enables an eligible  
11 out-of-State provider to enroll as a provider in  
12 the State plan without the imposition of addi-  
13 tional screening requirements by the State. An  
14 eligible out-of-State provider that enrolls in the  
15 State plan through such process shall be so en-  
16 rolled for a 5-year period and may revalidate  
17 such enrollment through such process for subse-  
18 quent 5-year periods.

19 “(B) DEFINITIONS.—In this paragraph:

20 “(i) ELIGIBLE OUT-OF-STATE PRO-  
21 VIDER.—The term ‘eligible out-of-State  
22 provider’ means, with respect to a State, a  
23 provider—

24 “(I) that furnishes to qualifying  
25 individuals any item or service for

1 which payment is available under the  
2 State plan of the State;

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

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

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

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

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

24 “(I) an individual under 18 years  
25 of age to whom the provider furnishes

1 items and services for the treatment  
2 of a condition; and

3 “(II) an individual 18 years of  
4 age or older to whom the provider fur-  
5 nishes items and services for the  
6 treatment of a condition that onset  
7 before such individual attained 18  
8 years of age.”.

9 (b) CONFORMING AMENDMENTS.—

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

13 (2) Section 1902(kk) of such Act (42 U.S.C.  
14 1396a(kk)), as amended by subsection (a), is further  
15 amended—

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

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

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

24 (c) EFFECTIVE DATE.—

1           (1) IN GENERAL.—Except as provided in para-  
2           graph (2), the amendments made by this section  
3           take effect on January 1, 2022.

4           (2) EXCEPTION FOR STATE LEGISLATION.—In  
5           the case of a State plan under title XIX of the So-  
6           cial Security Act (42 U.S.C. 1396 et seq.) or a State  
7           child health plan under title XXI of such Act (42  
8           U.S.C. 1397aa et seq.) which the Secretary of  
9           Health and Human Services determines requires  
10          State legislation (other than legislation appro-  
11          priating funds) in order for the plan to meet the ad-  
12          ditional requirements imposed by the amendments  
13          made by this section, such State plan or State child  
14          health plan shall not be regarded as failing to com-  
15          ply with the requirements of such title XIX or title  
16          XXI, respectively, solely on the basis of its failure to  
17          meet these additional requirements before the first  
18          day of the first calendar quarter beginning after the  
19          close of the first regular session of the State legisla-  
20          ture that begins after the date of the enactment of  
21          this Act. For purposes of the previous sentence, in  
22          the case of a State that has a 2-year legislative ses-  
23          sion, each year of such session shall be deemed to  
24          be a separate regular session of the State legislature.