118TH CONGRESS
1ST SESSION

S._____

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

IN THE SENATE OF THE UNITED STATES

Mr. BARRASSO (for himself, Mr. BENNET, Mrs. BLACKBURN, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on ________

A BILL

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

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 “Rural Health Clinic
5 Burden Reduction Act”.
6 SEC. 2. MODERNIZING PHYSICIAN, PHYSICIAN ASSISTANT,
7 AND NURSE PRACTITIONER UTILIZATION RE-
8 QUIREMENTS.
9 Section 1861(aa) of the Social Security Act (42
10 U.S.C. 1395x(aa)) is amended—
(1) in paragraph (2)(B), by striking “has an arrangement” and all that follows through the first semicolon and inserting “meets the requirements described in paragraph (8);”; and

(2) by adding at the end the following new paragraph:

“(8) REQUIREMENTS FOR CERTAIN FACILITIES DESCRIBED.—For purposes of paragraph (2)(B), with respect to a facility which is not a physician-directed clinic, the following requirements are described in this paragraph:

“(A) ARRANGEMENT.—The facility has an arrangement consistent with the provisions of State and local law relative to the practice, performance, and delivery of health services, with one or more physician assistants (as defined in paragraph (5)(A)) or one or more nurse practitioners (as defined in such paragraph).

“(B) PRACTICE AND OVERSIGHT REQUIREMENTS.—The delivery of health services under such arrangement shall be in accordance with State law or the State regulatory mechanism governing the practice of physician assistants or nurse practitioners.”.
SEC. 3. REMOVING OUTDATED LABORATORY REQUIREMENTS.

Section 1861(aa)(2)(G) of the Social Security Act (42 U.S.C. 1395x(aa)(2)(G)) is amended by striking “, including clinical laboratory services” and all that follows through “additional diagnostic services” and inserting the following: “and has prompt access to clinical laboratory services and additional diagnostic services”.

SEC. 4. ALLOWING RURAL HEALTH CLINICS THE FLEXIBILITY TO CONTRACT WITH PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS.

Section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa)), in the first sentence of the flush matter following paragraph (2), is amended by inserting “or contracts with” after “(iii) employs”.

SEC. 5. URBANIZED AREA FIX.

Section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa)), in the first sentence of the flush matter following paragraph (2), is amended by striking “(i) is located in an area that is not an urbanized area” and inserting “(i) is located in an area that is not in an urban area of 50,000 or more”.

SEC. 6. EXCEPTION TO BEHAVIORAL HEALTH LIMITATION.

Section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa)), in the first sentence of the flush matter following paragraph (2), is amended by inserting the
following before the period: "', except in the case where
the facility is located in an area that is designated (under
section 332(a)(1)(A) of the Public Health Service Act) as
a mental health professional shortage area”.

SEC. 7. EFFECTIVE DATE.

This Act and the amendments made by this Act shall
take effect on January 1, 2024, and shall apply to items
and services furnished on or after such date.