

105TH CONGRESS  
1ST SESSION

# H. R. 2962

To amend title XVIII of the Social Security Act to provide for a wrap-around payment under the Medicare Program for community health center services to account for reductions in payments attributable to individuals covered under managed care plans.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1997

Mr. RANGEL (for himself and Mr. STARK) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide for a wrap-around payment under the Medicare Program for community health center services to account for reductions in payments attributable to individuals covered under managed care plans.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WRAP-AROUND PAYMENT FOR COMMUNITY**  
2 **HEALTH CENTERS [AND RURAL HEALTH**  
3 **CLINICS] UNDER THE MEDICARE PROGRAM.**

4 (a) IN GENERAL.—Section 1833(a)(3) of the Social  
5 Security Act (42 U.S.C. 1395l(a)(3)) is amended—

6 (1) by inserting “(A)” after “(3)”;

7 (2) by inserting “other than services described  
8 in subparagraph (B)” after “1832(a)(2)(D)”;

9 (3) by adding at the end the following:

10 “(B) in the case of services described in section  
11 1832(a)(2)(D) furnished to an individual enrolled  
12 with an eligible organization under a risk-sharing  
13 contract under section 1876 or Medicare+Choice or-  
14 ganization under part C pursuant to a subcontract  
15 or participation agreement with the organization, an  
16 amount (if any) by which the amount of payment  
17 that would have been provided under subparagraph  
18 (A) with respect to the services if the individual had  
19 not been so enrolled and the amount of the pay-  
20 ments provided under such contract with respect to  
21 such services;”.

22 (b) CONFORMING AMENDMENT TO CONTRACT RE-  
23 QUIREMENT.—

24 (1) IN GENERAL.—Section 1857(e) of the So-  
25 cial Security Act (42 U.S.C. 1395w-27(e)) is  
26 amended by adding at the end the following:

1           “(3) NONDISCRIMINATION IN PAYMENT FOR  
2           CENTER SERVICES.—The contract shall provide that  
3           in the case of a Medicare+Choice organization that  
4           has entered into a contract with a center or clinic  
5           for the provision of services described in section  
6           1832(a)(2)(D), that the organization shall provide  
7           payment that is not less than the level and amount  
8           of payment which the organization would make for  
9           the services if the services were furnished by a pro-  
10          vider which is not a Federally-qualified health center  
11          or a rural health clinic;”.

12           (2) APPLICATION TO ELIGIBLE ORGANIZA-  
13          TIONS.—Section 1876(k)(4) of such Act (42 U.S.C.  
14          1395mm(k)(4)) is amended by adding at the end the  
15          following:

16           “(E) The requirement of nondiscrimination in  
17          payment for center and clinic services under section  
18          1857(e)(3).”.

19           (3) ADDITIONAL CONFORMING AMENDMENTS.—

20           (A) Section 1851(i)(1) of such Act (42  
21          U.S.C. 1395w-21(i)(1)) is amended by insert-  
22          ing “1857(e)(3),” after “1853(h),”.

23           (B) Section 1876(a)(3) of such Act (42  
24          U.S.C. 1395mm(a)(3)) is amended by striking

1           “and (c)(7)” and inserting “(c)(7), and  
2           (k)(4)(E)”.

3           (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to services furnished on or after  
5 October 1, 1999.

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