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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services to place certain limitations on Medicaid payments for home or community-based services.

IN THE HOUSE OF REPRESENTATIVES

Mrs. CAMMACK introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services to place certain limitations on Medicaid payments for home or community-based services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON FINALIZING PROPOSED RULE TO PLACE CERTAIN LIMITATIONS ON MEDICAID PAYMENTS.

The Secretary of Health and Human Services may not—

(1) finalize, implement, or enforce the portion of the proposed rule issued by the Centers for Medicare & Medicaid Services titled ''Medicaid Program; Ensuring Access to Medicaid Services'' (88 Fed. Reg. 27960 (May 3, 2023)) related to the proposed requirement at section 441.302(k)(3)(i) of title 42, Code of Federal Regulations that at least 80 percent of all payments made under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) with respect to homemaker services, home health aide services, and personal care services furnished under a waiver under section 1915(c) of such Act be spent on compensation for direct care workers (as such terms are used for purposes of such proposed rule); or

(2) promulgate, implement, enforce, or otherwise give effect to any other substantially similar rule that would require a minimum percentage of such payments for such services be spent on such compensation for direct care workers.