

116TH CONGRESS
2D SESSION

H. R. 7606

To require the Comptroller General to submit to Congress a report on the impact of the Medicaid Fiscal Accountability Regulation, to limit the authority for the Secretary of Health and Human Services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2020

Mr. WILLIAMS (for himself and Ms. JOHNSON of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Comptroller General to submit to Congress a report on the impact of the Medicaid Fiscal Accountability Regulation, to limit the authority for the Secretary of Health and Human Services, 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 “MFAR Transparency
5 Act”.

1 **SEC. 2. REPORTING REQUIREMENT RELATING TO THE**
2 **MEDICAID FISCAL ACCOUNTABILITY REGU-**
3 **LATION.**

4 (a) COMPTROLLER GENERAL REPORT.—Not later
5 than 2 years after the date of the enactment of this Act,
6 the Comptroller General shall submit to Congress a report
7 that—

8 (1) identifies the reporting requirements that
9 are necessary to ensure that States comply with laws
10 and regulations with respect to the financing of the
11 non-Federal share of expenditures under State plans
12 under title XIX of the Social Security Act (42
13 U.S.C. 1396 et seq.);

14 (2) estimates the financial impact of the pro-
15 posed rulemaking entitled, “Medicaid Program;
16 Medicaid Fiscal Accountability Regulation” pub-
17 lished by the Secretary of Health and Human Serv-
18 ices on November 18, 2019 with respect to all health
19 care facilities that receive supplemental or direct
20 payments under such title XIX funded through
21 intergovernmental transfers;

22 (3) evaluate the impact of the proposed rule-
23 making described in paragraph (2) with respect to
24 State and local budgets, including the impact of tax
25 increases that would be necessary to maintain cur-
26 rent funding for hospitals and nursing homes that

1 receive payments from intergovernmental transfers
2 (as of the date of enactment of this Act); and

3 (4) identifies the impact of the proposed rule-
4 making described in paragraph (2) with respect to
5 intergovernmental transfers of funds from units of
6 government within a State and provider taxes paid
7 authorized under section 1903(w) of the Social Secu-
8 rity Act (42 U.S.C. 1396b(w)).

9 (b) LIMITATION OF AUTHORITY FOR THE SEC-
10 RETARY OF HEALTH AND HUMAN SERVICES.—The Sec-
11 retary of Health and Human Services may not take any
12 action (through promulgation of regulation, issuance of
13 regulatory guidance, or other administrative action), un-
14 less the 116th Congress enacts a resolution that author-
15 izes such action, to finalize or otherwise implement provi-
16 sions contained in the proposed rulemaking described in
17 subsection (a)(2).

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