

112TH CONGRESS
1ST SESSION

H. R. 969

To prohibit conditioning licensure of a health care provider upon participation in a health plan.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2011

Mr. PRICE of Georgia (for himself, Mrs. BLACK, Mr. ROE of Tennessee, Mr. BILBRAY, Mr. THOMPSON of Pennsylvania, Mr. COFFMAN of Colorado, Mr. CASSIDY, Mr. GINGREY of Georgia, and Mr. FLEMING) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit conditioning licensure of a health care provider upon participation in a health plan.

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 “Medical Practice Free-
5 dom Act of 2011”.

1 **SEC. 2. HEALTH CARE PROVIDER LICENSURE CANNOT BE**
2 **CONDITIONED ON PARTICIPATION IN A**
3 **HEALTH PLAN.**

4 (a) IN GENERAL.—The Secretary of Health and
5 Human Services and any State (as a condition of receiving
6 Federal financial participation under title XIX of the So-
7 cial Security Act) may not require any health care pro-
8 vider to participate in any health plan as a condition of
9 licensure of the provider in any State.

10 (b) DEFINITIONS.—In this section:

11 (1) HEALTH PLAN.—The term “health plan”
12 has the meaning given such term in section 1171(5)
13 of the Social Security Act (42 U.S.C. 1320d(5)),
14 and includes a basic health program established
15 under section 1331 of the Patient Protection and
16 Affordable Care Act (Public Law 111–148), a quali-
17 fied health plan offered by a qualified nonprofit
18 health insurance issuer under the Consumer Oper-
19 ated and Oriented Plan (CO–OP) program under
20 section 1322 of such Act, a qualified health plan of-
21 fered under a health care choice compact under sec-
22 tion 1333 of such Act, a multi-state qualified health
23 plan offered under section 1334 of such Act, or
24 other health plan offered under title I of such Act.

25 (2) HEALTH CARE PROVIDER.—The term
26 “health care provider” means any person or entity

1 that is required by State or Federal laws or regula-
2 tions to be licensed, registered, or certified to pro-
3 vide health care services and is so licensed, reg-
4 istered, or certified, or exempted from such require-
5 ment by other statute or regulation.

6 (3) STATE.—The term “State” has the mean-
7 ing given such term for purposes of title XIX of the
8 Social Security Act.

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