

113TH CONGRESS  
1ST SESSION

# H. R. 969

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2013

Mr. PRICE of Georgia (for himself, Mr. BOUSTANY, Mr. ROE of Tennessee, Mrs. BLACKBURN, and Mr. CASSIDY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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 2013”.

6 **SEC. 2. HEALTH CARE PROVIDER LICENSURE CANNOT BE**  
7 **CONDITIONED ON PARTICIPATION IN A**  
8 **HEALTH PLAN.**

9 (a) IN GENERAL.—The Secretary of Health and  
10 Human Services and any State (as a condition of receiving

1 Federal financial participation under title XIX of the So-  
2 cial Security Act) may not require any health care pro-  
3 vider to participate in any health plan as a condition of  
4 licensure of the provider in any State.

5 (b) DEFINITIONS.—In this section:

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

20 (2) HEALTH CARE PROVIDER.—The term  
21 “health care provider” means any person or entity  
22 that is required by State or Federal laws or regula-  
23 tions to be licensed, registered, or certified to pro-  
24 vide health care services and is so licensed, reg-

1       istered, or certified, or exempted from such require-  
2       ment by other statute or regulation.

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

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