

118TH CONGRESS
1ST SESSION

S. 198

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2023

Mr. BARRASSO (for himself, Mr. BENNET, Mrs. BLACKBURN, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

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 “Rural Health Clinic
5 Burden Reduction Act”.

6 **SEC. 2. MODERNIZING PHYSICIAN, PHYSICIAN ASSISTANT,**
7 **AND NURSE PRACTITIONER UTILIZATION RE-**
8 **QUIREMENTS.**

9 Section 1861(aa) of the Social Security Act (42
10 U.S.C. 1395x(aa)) is amended—

1 (1) in paragraph (2)(B), by striking “has an
2 arrangement” and all that follows through the first
3 semicolon and inserting “meets the requirements de-
4 scribed in paragraph (8);”; and

5 (2) by adding at the end the following new
6 paragraph:

7 “(8) REQUIREMENTS FOR CERTAIN FACILITIES DE-
8 SCRIBED.—For purposes of paragraph (2)(B), with re-
9 spect to a facility which is not a physician-directed clinic,
10 the following requirements are described in this para-
11 graph:

12 “(A) ARRANGEMENT.—The facility has an ar-
13 rangement consistent with the provisions of State
14 and local law relative to the practice, performance,
15 and delivery of health services, with one or more
16 physician assistants (as defined in paragraph
17 (5)(A)) or one or more nurse practitioners (as de-
18 fined in such paragraph).

19 “(B) PRACTICE AND OVERSIGHT REQUIRE-
20 MENTS.—The delivery of health services under such
21 arrangement shall be in accordance with State law
22 or the State regulatory mechanism governing the
23 practice of physician assistants or nurse practi-
24 tioners.”.

1 **SEC. 3. REMOVING OUTDATED LABORATORY REQUIRE-**
2 **MENTS.**

3 Section 1861(aa)(2)(G) of the Social Security Act
4 (42 U.S.C. 1395x(aa)(2)(G)) is amended by striking “,
5 including clinical laboratory services” and all that follows
6 through “additional diagnostic services” and inserting the
7 following: “and has prompt access to clinical laboratory
8 services and additional diagnostic services”.

9 **SEC. 4. ALLOWING RURAL HEALTH CLINICS THE FLEXI-**
10 **BILITY TO CONTRACT WITH PHYSICIAN AS-**
11 **SISTANTS AND NURSE PRACTITIONERS.**

12 Section 1861(aa) of the Social Security Act (42
13 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
14 ter following paragraph (2), is amended by inserting “or
15 contracts with” after “(iii) employs”.

16 **SEC. 5. URBANIZED AREA FIX.**

17 Section 1861(aa) of the Social Security Act (42
18 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
19 ter following paragraph (2), is amended by striking “(i)
20 is located in an area that is not an urbanized area” and
21 inserting “(i) is located in an area that is not in an urban
22 area of 50,000 or more”.

23 **SEC. 6. EXCEPTION TO BEHAVIORAL HEALTH LIMITATION.**

24 Section 1861(aa) of the Social Security Act (42
25 U.S.C. 1395x(aa)), in the first sentence of the flush mat-
26 ter following paragraph (2), is amended by inserting the

1 following before the period: “, except in the case where
2 the facility is located in an area that is designated (under
3 section 332(a)(1)(A) of the Public Health Service Act) as
4 a mental health professional shortage area”.

5 **SEC. 7. EFFECTIVE DATE.**

6 This Act and the amendments made by this Act shall
7 take effect on January 1, 2024, and shall apply to items
8 and services furnished on or after such date.

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