

116TH CONGRESS  
2D SESSION

# S. 4717

To amend title XIX of the Social Security Act to streamline enrollment of certain Medicaid providers across State lines, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2020

Mr. GRASSLEY (for himself, Mr. BENNET, Mr. PORTMAN, Mr. BROWN, Mr. HAWLEY, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to streamline enrollment of certain Medicaid providers across State lines, 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 “Accelerating Kids’ Ac-  
5 cess to Care Act”.

1 **SEC. 2. STREAMLINED SCREENING AND ENROLLMENT**  
 2 **PROCESS FOR ELIGIBLE OUT-OF-STATE MED-**  
 3 **ICAID PROVIDERS.**

4 (a) IN GENERAL.—Section 1902(kk) of the Social Se-  
 5 curity Act (42 U.S.C. 1396a(kk)) is amended by adding  
 6 at the end the following new paragraph:

7 “(10) STREAMLINED SCREENING AND ENROLL-  
 8 MENT PROCESS FOR ELIGIBLE OUT-OF-STATE PRO-  
 9 VIDERS.—

10 “(A) IN GENERAL.—Subject to subsection  
 11 (a)(65), the State adopts a streamlined screen-  
 12 ing and enrollment process for eligible out-of-  
 13 State providers.

14 “(B) STREAMLINED SCREENING AND EN-  
 15 ROLLMENT PROCESS.—For purposes of sub-  
 16 paragraph (A), the term ‘streamlined screening  
 17 and enrollment process’ means a process that  
 18 enables an eligible out-of-State provider to en-  
 19 roll as a provider in the State plan on a sim-  
 20 plified and streamlined basis in accordance with  
 21 the requirements of subparagraph (D).

22 “(C) ELIGIBLE OUT-OF-STATE PRO-  
 23 VIDER.—For purposes of subparagraph (A), the  
 24 term ‘eligible out-of-State provider’ means, with  
 25 respect to a State, a pediatric provider that fur-  
 26 nishes medical services to a child (or to an

1 adult if such services are to treat a condition  
2 that presented during childhood) for which pay-  
3 ment is available under the State plan under  
4 this title, if—

5 “(i) the provider is located in another  
6 State and is enrolled as a provider in good  
7 standing under the State plan of such  
8 other State; and

9 “(ii) with respect to the category of  
10 provider to which such provider belongs,  
11 the Secretary has determined there is a  
12 limited risk of fraud, waste, or abuse for  
13 purposes of determining the level of screen-  
14 ing to be conducted under section  
15 1866(j)(2)(B).

16 “(D) REQUIREMENTS.—For purposes of  
17 subparagraph (B), the requirements of this sub-  
18 paragraph are the following:

19 “(i) An eligible out-of-State provider  
20 that elects to be and is enrolled in the pro-  
21 gram established under this title in accord-  
22 ance with the process established by the  
23 Secretary under section 2(b) of the Accel-  
24 erating Kids’ Access to Care Act is en-  
25 rolled in the State plan under this title

1 without being subject to any additional  
2 screening and enrollment activities re-  
3 quired by the State.

4 “(ii) An eligible out-of-State provider  
5 that is enrolled in the State plan through  
6 the streamlined screening and enrollment  
7 process shall be enrolled for a period of 5  
8 years before being required to obtain re-  
9 validation.

10 “(iii) An eligible out-of-State provider  
11 that is enrolled in the State plan through  
12 the streamlined screening and enrollment  
13 process shall be permitted to order all  
14 clinically necessary follow-up care, includ-  
15 ing with respect to the prescribing of medi-  
16 cations.”.

17 (b) COORDINATION WITH MEDICARE.—The Sec-  
18 retary shall establish a process for permitting a provider  
19 the option, when enrolling in the program established  
20 under the Medicare program under title XVIII of the So-  
21 cial Security Act pursuant to subpart P of part 424 of  
22 title 42, Code of Federal Regulations (or any successor  
23 regulation), to elect, at the same time, to enroll in the  
24 Medicaid program under title XIX of such Act for pur-  
25 poses of all State plans under such title XIX. The Sec-

1 retary may utilize the Medicare Provider Enrollment,  
2 Chain and Ownership System (referred to as “PECOS”),  
3 or another national, standardized, and widely accessible  
4 platform to establish such process.

5 (c) CONFORMING AMENDMENTS.—

6 (1) Section 1902(a)(77) of such Act (42 U.S.C.  
7 1396a(a)(77)), is amended by inserting “enroll-  
8 ment,” after “screening,”.

9 (2) Section 1902(kk) of such Act (42 U.S.C.  
10 1396a(kk)), as amended by subsection (a), is further  
11 amended—

12 (A) in the subsection heading, by inserting  
13 “ENROLLMENT,” after “SCREENING,”; and

14 (B) in paragraph (9), by striking “Noth-  
15 ing” and inserting “Except as provided in para-  
16 graph (10)(D)(i), nothing”.

17 (3) Section 2107(e)(1)(F) of such Act (42  
18 U.S.C. 1397gg(e)(1)(F)) is amended by inserting  
19 “enrollment,” after “screening,”.

20 (d) EFFECTIVE DATE.—

21 (1) IN GENERAL.—Except as provided in para-  
22 graph (2), the amendments made by this section  
23 take effect on January 1, 2021.

24 (2) EXCEPTION FOR STATE LEGISLATION.—In  
25 the case of a State plan for medical assistance under

1 title XIX of the Social Security Act or a State child  
2 health plan under title XXI of such Act which the  
3 Secretary of Health and Human Services determines  
4 requires State legislation (other than legislation ap-  
5 propriating funds) in order for the plan to meet the  
6 additional requirements imposed by the amendments  
7 made by this section, such State plan shall not be  
8 regarded as failing to comply with the requirements  
9 of such title solely on the basis of its failure to meet  
10 these additional requirements before the first day of  
11 the first calendar quarter beginning after the close  
12 of the first regular session of the State legislature  
13 that begins after the date of the enactment of this  
14 Act. For purposes of the previous sentence, in the  
15 case of a State that has a 2-year legislative session,  
16 each year of such session shall be deemed to be a  
17 separate regular session of the State legislature.

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