

108TH CONGRESS
1ST SESSION

H. R. 2295

To amend title XIX of the Social Security Act to improve access to advanced practice nurses under the Medicaid Program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Mr. OLVER (for himself, Mr. MEEHAN, Mr. TOWNS, Mr. MARKEY, Mr. LYNCH, Ms. NORTON, Mr. FROST, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. HINCHEY, Mr. SERRANO, and Mr. KILDEE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to improve access to advanced practice nurses under the Medicaid Program.

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 “Medicaid Nursing In-
5 centive Act of 2003”.

1 **SEC. 2. IMPROVED ACCESS TO SERVICES OF ADVANCED**
2 **PRACTICE NURSES UNDER STATE MEDICAID**
3 **PROGRAMS.**

4 (a) PRIMARY CARE CASE MANAGEMENT.—Section
5 1905(t)(2) of the Social Security Act (42 U.S.C.
6 1396d(t)(2)) is amended by striking subparagraph (B)
7 and inserting the following:

8 “(B) A nurse practitioner.

9 “(C) A certified nurse-midwife (as defined in
10 section 1861(gg)).

11 “(D) A physician assistant (as defined in sec-
12 tion 1861(aa)(5)).”.

13 (b) FEE-FOR-SERVICE PROGRAM.—Section
14 1905(a)(21) of such Act (42 U.S.C. 1396d(a)(21)) is
15 amended—

16 (1) by striking “services furnished by a certified
17 pediatric nurse practitioner or certified family nurse
18 practitioner (as defined by the Secretary) which the
19 certified pediatric nurse practitioner or certified
20 family nurse practitioner” and inserting “services
21 furnished by a certified nurse practitioner (as de-
22 fined by the Secretary) or a clinical nurse specialist
23 (as defined in section 1861(aa)(5)(B)) which the
24 practitioner or specialist”; and

1 (2) by striking “certified pediatric nurse practi-
2 tioner or certified family nurse practitioner” and in-
3 serting “practitioner or specialist”.

4 (c) INCLUDING IN MIX OF SERVICE PROVIDERS
5 UNDER MEDICAID MANAGED CARE ORGANIZATIONS.—
6 Section 1932(b)(5)(B) of such Act (42 U.S.C. 1396u-
7 2(b)(5)(B)) is amended by inserting “, with such mix in-
8 cluding certified nurse practitioners and clinical nurse spe-
9 cialists” after “services”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to items and services furnished in
12 calendar quarters beginning on or after 90 days after the
13 date of the enactment of this Act, without regard to
14 whether or not final regulations to carry out such amend-
15 ments have been promulgated by such date.

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