

116TH CONGRESS  
1ST SESSION

# H. R. 233

To amend title XIX of the Social Security Act to clarify the authority of State Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any setting, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. WALBERG (for himself and Mr. WELCH) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XIX of the Social Security Act to clarify the authority of State Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any setting, 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 “Medicaid Patient  
5 Abuse Prevention Act”.

1 **SEC. 2. CLARIFYING AUTHORITY OF STATE MEDICAID**  
2 **FRAUD AND ABUSE CONTROL UNITS TO IN-**  
3 **VESTIGATE AND PROSECUTE CASES OF MED-**  
4 **ICAID PATIENT ABUSE AND NEGLECT IN ANY**  
5 **SETTING.**

6 (a) IN GENERAL.—Section 1903(q)(4)(A)(ii) of the  
7 Social Security Act (42 U.S.C. 1396b(q)(4)(A)(ii)) is  
8 amended by inserting after “patients residing in board  
9 and care facilities” the following: “and of patients (who  
10 are receiving medical assistance under the State plan  
11 under this title) in a noninstitutional or other setting”.

12 (b) AVAILABILITY OF FUNDING.—Section 1903(a)(6)  
13 of the Social Security Act (42 U.S.C. 1396b(a)(6)) is  
14 amended, in the matter following subparagraph (B), by  
15 striking “(as found necessary by the Secretary for the  
16 elimination of fraud in the provision and administration  
17 of medical assistance provided under the State plan)”.

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