

116TH CONGRESS
2D SESSION

H. R. 8167

To amend the Paycheck Protection Program and Health Care Enhancement Act to expand the appropriations under the Public Health and Social Services Emergency Fund to include the scale up of testing by veterinary and biotechnology company laboratories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 4, 2020

Mr. CRIST introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Paycheck Protection Program and Health Care Enhancement Act to expand the appropriations under the Public Health and Social Services Emergency Fund to include the scale up of testing by veterinary and biotechnology company laboratories, 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 “Coronavirus Testing
5 Capacity Expansion Act”.

1 **SEC. 2. EXPANSION OF APPROPRIATIONS AND ESTABLISH-**
2 **MENT OF DIRECT REIMBURSEMENT PRO-**
3 **GRAM.**

4 (a) EXPANSION OF APPROPRIATIONS UNDER THE
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
6 FUND.—The second paragraph of “Department of Health
7 and Human Services—Office of the Secretary—Public
8 Health and Social Services Emergency Fund” of title I
9 of division B of the Paycheck Protection Program and
10 Health Care Enhancement Act (Public Law 116–139) is
11 amended by striking “and hospital laboratories” each
12 place it appears and inserting “hospital, veterinary, and
13 biotechnology company laboratories”.

14 (b) DIRECT REIMBURSEMENT PROGRAM FOR CER-
15 TAIN COVID–19 ITEMS AND SERVICES.—

16 (1) IN GENERAL.—Notwithstanding any other
17 provision of law, during the specified period, the
18 Secretary of Health and Human Services (in this
19 subsection, referred to as the “Secretary”) shall
20 carry out a program that reimburses an eligible enti-
21 ty that furnishes an eligible item or service.

22 (2) USE OF FUNDS.—In addition to the pur-
23 poses specified in the second paragraph of “Depart-
24 ment of Health and Human Services—Office of the
25 Secretary—Public Health and Social Services Emer-
26 gency Fund” of title I of division B of the Paycheck

1 Protection Program and Health Care Enhancement
2 Act (Public Law 116–139), an eligible entity may
3 use funds to hire and train staff (including adminis-
4 trative staff or individuals who conduct testing for
5 COVID–19).

6 (3) CLAIMS FOR REIMBURSEMENT.—

7 (A) CLAIMS.—An eligible entity may only
8 submit to the Secretary a claim for reimburse-
9 ment of an eligible item or service furnished by
10 such entity.

11 (B) REIMBURSEMENT.—Upon receipt of a
12 valid claim for reimbursement described in sub-
13 paragraph (A), the Secretary shall reimburse an
14 eligible entity an amount for an eligible item or
15 service (as determined by the Secretary).

16 (4) PROHIBITION OF COST-SHARING.—An eligi-
17 ble entity may not impose any cost-sharing for an el-
18 igible item or service.

19 (c) DEFINITIONS.—In this Act:

20 (1) ELIGIBLE ENTITY.—The term “eligible enti-
21 ty” means—

22 (A) any laboratory that has not submitted
23 a claim for reimbursement for an eligible item
24 or service before the date of the enactment of
25 this Act; and

1 (B) any laboratory that is not a subsidiary
2 of a laboratory that has submitted a claim for
3 reimbursement for an eligible item or service
4 before the date of the enactment of this Act.

5 (2) ELIGIBLE ITEM OR SERVICE.—The term
6 “eligible item or service” is an item or service that
7 is specified under title I of the Paycheck Protection
8 Program and Health Care Enhancement Act (Public
9 Law 116–139).

10 (3) SPECIFIED PERIOD.—The term “specified
11 period” means the period—

12 (A) beginning on the first day of the emer-
13 gency period described in section 1135(g)(1)(B)
14 of the Social Security Act (42 U.S.C. 1320b–
15 5(g)(1)(B)); and

16 (B) ending on the date that is the later of
17 the—

18 (i) the last day of the emergency pe-
19 riod; or

20 (ii) the day on which funds appro-
21 priated under the second paragraph of
22 “Department of Health and Human
23 Serves—Office of the Secretary—Public
24 Health and Social Services Emergency
25 Fund” of title I of division B of the Pay-

1 check Protection Program and Health
2 Care Enhancement Act (Public Law 116–
3 139) are available.

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