

118TH CONGRESS
2D SESSION

H. R. 10096

To amend title XIX of the Social Security Act to ensure access to immunizations under the Medicaid program and the Vaccines for Children program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2024

Ms. SCHRIER (for herself and Mr. JOYCE of Pennsylvania) 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 ensure access to immunizations under the Medicaid program and the Vaccines for Children program, 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 “Strengthening the Vac-
5 cines for Children Program Act of 2024”.

1 **SEC. 2. ENSURING ACCESS TO IMMUNIZATIONS UNDER THE**
2 **MEDICAID PROGRAM AND THE VACCINES**
3 **FOR CHILDREN PROGRAM.**

4 (a) ENCOURAGING INVOLVEMENT OF PROVIDERS.—
5 Paragraph (3) of section 1928(c) of the Social Security
6 Act (42 U.S.C. 1396s(c)) is amended—

7 (1) by redesignating subparagraphs (A) and
8 (B) as clauses (i) and (ii), respectively, and moving
9 the margins of each such clause, as so redesignated,
10 2 ems to the right;

11 (2) by striking “PROVIDERS” and all that fol-
12 lows through “Each program” and inserting “PRO-
13 VIDERS.—

14 “(A) IN GENERAL.—Each program”; and

15 (3) by adding at the end the following:

16 “(B) INCENTIVE PAYMENTS.—

17 “(i) IN GENERAL.—

18 “(I) PAYMENT FOR PROGRAM-
19 REGISTERED PROVIDERS.—The Sec-
20 retary shall pay to each provider that
21 requests payment under this subclause
22 and that is a program-registered pro-
23 vider under this section as of the date
24 of the enactment of this subparagraph
25 an amount equal to \$7,500, to be paid

1 as soon as practicable after such date
2 of enactment.

3 “(II) ADDITIONAL PAYMENT TO
4 INCENTIVIZE CONTINUED PARTICIPA-
5 TION.—The Secretary shall pay to
6 each provider that requests payment
7 under this subclause and that is a
8 program-registered provider under
9 this section for the duration of the pe-
10 riod beginning on the date of the en-
11 actment of this subparagraph and
12 ending on December 31, 2026, and
13 amount equal to \$2,500, to be paid as
14 soon as practicable after January 1,
15 2027.

16 “(ii) USE OF FUNDS.—Payments
17 made under clause (i) may only be used by
18 a provider for purposes of carrying out the
19 program under this section (including any
20 operational expenses associated with the
21 furnishing of immunizations under such
22 program, as specified by the Secretary).

23 “(iii) RECOUPMENT OF PAYMENTS.—
24 The Secretary may conduct reviews of pro-
25 viders receiving payments under this sub-

1 paragraph to ensure that such payments
2 are used in accordance with clause (ii) and
3 recoup from such providers any such pay-
4 ments not so used in accordance with such
5 clause.”.

6 (b) EXPANSION OF DEFINITION OF FEDERALLY VAC-
7 CINE-ELIGIBLE CHILD.—Paragraph (2) of section
8 1928(b) of the Social Security Act (42 U.S.C. 1396s(b))
9 is amended—

10 (1) in subparagraph (A)—

11 (A) in clause (iii), by striking “A child
12 who” and all that follows through the period at
13 the end and inserting “A child who is adminis-
14 tered a qualified pediatric vaccine and is not in-
15 sured with respect to such vaccine.”; and

16 (B) by adding at the end the following new
17 clause:

18 “(v) A child who is enrolled for child
19 health assistance under a State child
20 health plan approved under title XXI.”;
21 and

22 (2) in subparagraph (B)(ii)(II), by striking “for
23 purposes of subparagraph (A)(iii)(II)” and inserting
24 “for purposes of subparagraph (A)(iii)”.

1 (c) MINIMUM PAYMENT REQUIREMENT FOR VACCINE
2 ADMINISTRATION AND COUNSELING SERVICES.—

3 (1) IN GENERAL.—Section 1902(a)(13) of the
4 Social Security Act (42 U.S.C. 1396a(a)(13)) is
5 amended—

6 (A) in subparagraph (B), by striking
7 “and” at the end;

8 (B) in subparagraph (C), by striking the
9 semicolon and inserting “; and”; and

10 (C) by adding at the end the following new
11 subparagraph:

12 “(D) for payment for vaccine administra-
13 tion and counseling services furnished by a pro-
14 vider during the period beginning on the date of
15 the enactment of this subparagraph, and ending
16 on December 31, 2026 (including, notwith-
17 standing subsection (c)(2)(C)(ii) of section
18 1928, any such services furnished with respect
19 to a vaccine furnished under the program estab-
20 lished by the State pursuant to such section to
21 a medicaid-eligible child (as defined in sub-
22 section (b)(2)(B)(i) of such section)), at a rate
23 not less than 100 percent of the payment rate
24 that applies to such services and provider under
25 part B of title XVIII;”.

1 (2) MANAGED CARE PLANS.—Section 1932(f)
2 of the Social Security Act (42 U.S.C. 1396u–2(f)) is
3 amended—

4 (A) in the header, by striking “PAYMENT
5 FOR PRIMARY CARE SERVICES” and inserting
6 “PAYMENTS”; and

7 (B) by striking “section 1902(a)(13)(C)”
8 and inserting “subparagraph (C) of section
9 1902(a)(13) and vaccine administration and
10 counseling services described in subparagraph
11 (D) of such section”; and

12 (C) by striking “such section” and insert-
13 ing “such subparagraph (C) or (D), respec-
14 tively”; and

15 (D) by adding at the end the following new
16 sentence: “The provisions of the preceding sen-
17 tence shall apply to contracts entered into with,
18 and payments made by, other specified entities
19 (as defined in section 1903(m)(9)(D)(iii)) in the
20 same manner as such provisions apply with re-
21 spect to contracts entered into with, and pay-
22 ments made by, medicaid managed care organi-
23 zations.”.

1 (3) CHIP.—Section 2103(c) of the Social Secu-
2 rity Act (42 U.S.C. 1397cc(c)) is amended by add-
3 ing at the end the following new paragraph:

4 “(11) VACCINE ADMINISTRATION SERVICES.—
5 The child health assistance provided to a targeted
6 low-income child shall include payment for vaccine
7 administration and counseling services furnished by
8 a provider during the period beginning on the date
9 of the enactment of this paragraph, and ending on
10 December 31, 2026 (including, notwithstanding sub-
11 section (c)(2)(C)(ii) of section 1928, any such serv-
12 ices furnished to such child with respect to a vaccine
13 furnished under the program established by the
14 State pursuant to such section), at a rate not less
15 than 100 percent of the payment rate that applies
16 to such services and provider under part B of title
17 XVIII.”.

18 (d) CLARIFICATION OF COVERAGE OF PEDIATRIC
19 VACCINE ADMINISTRATION AND VACCINE COUNSELING
20 AND EDUCATIONAL SERVICES UNDER THE VACCINES FOR
21 CHILDREN PROGRAM.—Section 1928(c)(2)(C)(ii) of the
22 Social Security Act (42 U.S.C. 1396s(c)(2)(C)(ii)) is
23 amended to read as follows:

24 “(ii) The provider may impose—

1 “(I) in the case of a qualified pedi-
2 atric vaccine not described in subclause
3 (II), a fee for the administration of and
4 counseling for such vaccine so long as the
5 fee in the case of a federally vaccine-eli-
6 ble child does not exceed the costs of such
7 administration and counseling (as deter-
8 mined by the Secretary based on actual re-
9 gional costs for such administration and
10 counseling and updated as determined ap-
11 propriate by the Secretary to take into ac-
12 count changes in such costs, including
13 changes attributable to the inclusion of
14 new qualified pediatric vaccines in the pro-
15 gram established under this section); and

16 “(II) in the case of a qualified pedi-
17 atric vaccine that is a multiple component
18 vaccine, a separate charge for the adminis-
19 tration of and counseling for each compo-
20 nent of such vaccine so long as the charge
21 in the case of a federally vaccine-eligible
22 child does not exceed—

23 “(aa) with respect to the first
24 component of such vaccine, the costs
25 of such administration and counseling

1 for such component (as determined by
2 the Secretary based on actual regional
3 costs for such administration and
4 counseling for such first component
5 and updated as determined appro-
6 priate by the Secretary to take into
7 account changes in such costs, includ-
8 ing changes attributable to the inclu-
9 sion of new qualified pediatric vac-
10 cines in the program established
11 under this section); and

12 “(bb) with respect to a subse-
13 quent component of such vaccine, the
14 payment rate that applies to such ad-
15 ministration and counseling for such
16 component and provider under part B
17 of title XVIII.”.

18 (e) INCREASE IN FEDERAL MEDICAL ASSISTANCE
19 PERCENTAGE.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 for each calendar quarter occurring during the pe-
22 riod beginning on or after January 1, 2025, the
23 Federal medical assistance percentage determined
24 for each State, including the District of Columbia,
25 American Samoa, Guam, the Commonwealth of the

1 Northern Mariana Islands, Puerto Rico, and the
2 United States Virgin Islands, under section 1905(b)
3 of the Social Security Act (42 U.S.C. 1396d(b)),
4 after application of section 6008 of the Families
5 First Coronavirus Response Act (Public Law 116–
6 127) (if applicable), shall be increased by 1 percent-
7 age point.

8 (2) REQUIREMENTS.—

9 (A) IN GENERAL.—A State described in
10 paragraph (1) may not receive the increase de-
11 scribed in such paragraph in the Federal med-
12 ical assistance percentage for such State, with
13 respect to a quarter, if such State does not en-
14 sure culturally competent and effective mes-
15 sages for vaccination outreach to child popu-
16 lations, which may include the dissemination of
17 information highlighting—

18 (i) advancements in research and vac-
19 cine development that have saved millions
20 of individuals from death and disability
21 from now-preventable diseases;

22 (ii) information on how individuals
23 across the lifespan benefit from immuniza-
24 tions, including those who cannot be vac-
25 cinated and rely on community immunity;

1 (iii) information on the dangers of not
2 being vaccinated, including the potential
3 for infectious disease outbreaks within
4 communities; and

5 (iv) information on vaccine safety and
6 the systems in place to monitor vaccine
7 safety.

8 (B) REQUIREMENT FOR CERTAIN
9 STATES.—Section 1905(cc) of the Social Secu-
10 rity Act (42 U.S.C. 1396d(cc)) is amended—

11 (i) by inserting “and section 2(e) of
12 the Strengthening the Vaccines for Chil-
13 dren Program Act of 2024” before “, ex-
14 cept that in applying”; and

15 (ii) by inserting “, and in applying
16 such treatments to the increases in the
17 Federal medical assistance percentage
18 under section 2(e) of the Strengthening the
19 Vaccines for Children Program Act of
20 2024, the reference to ‘December 31,
21 2009’ shall be deemed to be a reference to
22 ‘December 31, 2023’” before the period at
23 the end.

24 (f) TRIBAL EPIDEMIOLOGY CENTER DATA AC-
25 CESS.—With respect to data access for tribal epidemiology

1 centers established under section 214 of the Indian Health
2 Care Improvement Act (25 U.S.C. 1621m), the Director
3 of the Centers for Disease control and Prevention may cre-
4 ate a data sharing strategy that ensures such centers have
5 access to data, data sets, monitoring systems, delivery sys-
6 tems, and other protected health information with respect
7 to health care and public health surveillance systems of
8 child and adolescent health necessary to accomplish such
9 centers' public health authority responsibilities described
10 in such section or section 164.501 of title 45, Code of Fed-
11 eral Regulations.

12 (g) REPORTS.—

13 (1) IN GENERAL.—For each of fiscal years
14 2025 and 2026, the Director of the Centers for Dis-
15 ease Control and Prevention, in coordination with
16 each State that has established a pediatric vaccine
17 distribution program under section 1928 of the So-
18 cial Security Act (42 U.S.C. 1396s), shall publish on
19 the public internet website of the Centers for Dis-
20 ease Control and Prevention, in such manner as de-
21 termined appropriate by the Director, information
22 on vaccination rates under each such program dur-
23 ing such year, including such rates disaggregated by
24 region, age, sex, race, ethnicity, and other demo-

1 graphic factors determined appropriate by the Direc-
2 tor.

3 (2) EFFECTS ON VACCINATION RATES AND PRO-
4 GRAM PARTICIPATION.—Not later than 2 years after
5 the date of the enactment of this Act, the Comp-
6 troller General of the United States shall submit to
7 Congress a report containing an analysis of the ef-
8 fects of the provisions of, and the amendments made
9 by, this Act on—

10 (A) vaccination rates under the pediatric
11 vaccine distribution program under section
12 1928 of the Social Security Act (42 U.S.C.
13 1396s); and

14 (B) provider participation in such pro-
15 gram.

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