

118TH CONGRESS
2D SESSION

H. R. 8114

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services to place certain limitations on Medicaid payments for home or community-based services.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2024

Mrs. CAMMACK introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services to place certain limitations on Medicaid payments for home or community-based services.

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. PROHIBITION ON FINALIZING PROPOSED RULE**

4 **TO PLACE CERTAIN LIMITATIONS ON MED-**
5 **ICAID PAYMENTS.**

6 The Secretary of Health and Human Services may
7 not—

1 (1) finalize, implement, or enforce the portion
2 of the proposed rule issued by the Centers for Medi-
3 care & Medicaid Services titled “Medicaid Program;
4 Ensuring Access to Medicaid Services” (88 Fed.
5 Reg. 27960 (May 3, 2023)) related to the proposed
6 requirement at section 441.302(k)(3)(i) of title 42,
7 Code of Federal Regulations that at least 80 percent
8 of all payments made under a State plan under title
9 XIX of the Social Security Act (42 U.S.C. 1396 et
10 seq.) with respect to homemaker services, home
11 health aide services, and personal care services fur-
12 nished under a waiver under section 1915(c) of such
13 Act be spent on compensation for direct care work-
14 ers (as such terms are used for purposes of such
15 proposed rule); or

16 (2) promulgate, implement, enforce, or other-
17 wise give effect to any other substantially similar
18 rule that would require a minimum percentage of
19 such payments for such services be spent on such
20 compensation for direct care workers.

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