

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO THE COMMITTEE PRINT OF H.R. 3821  
OFFERED BY MR. COLLINS OF NEW YORK**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Medicaid Directory of  
3 Caregivers Act” or the “Medicaid DOC Act”.

**4 SEC. 2. REQUIRING PUBLICATION OF FEE-FOR-SERVICE  
5 PROVIDER DIRECTORY.**

6       (a) IN GENERAL.—Section 1902(a) of the Social Se-  
7 curity Act (42 U.S.C. 1396a(a)) is amended by inserting  
8 after paragraph (77) the following new paragraph:

9           “(78) provide that, not later than 180 days  
10 after the date of the enactment of this paragraph,  
11 in the case of a State plan that provides medical as-  
12 sistance on a fee-for-service basis or through a pri-  
13 mary care case-management system described in sec-  
14 tion 1915(b)(1) (other than a primary care case  
15 management entity (as defined by the Secretary)),  
16 the State shall publish (and update on at least an  
17 annual basis) on the public Website of the State  
18 agency administering the State plan, a directory of

1 the providers (including, at a minimum, primary and  
2 specialty care physicians) described in subsection (l)  
3 that includes—

4 “(A) with respect to each such provider—

5 “(i) the name of the provider;

6 “(ii) the specialty of the provider;

7 “(iii) the address of the provider; and

8 “(iv) the telephone number of the pro-  
9 vider; and

10 “(B) with respect to any such provider  
11 participating in such a primary care case-man-  
12 agement system, information regarding—

13 “(i) whether the provider is accepting  
14 as new patients individuals who receive  
15 medical assistance under this title; and

16 “(ii) the provider’s cultural and lin-  
17 guistic capabilities, including the languages  
18 spoken by the provider or by the skilled  
19 medical interpreter providing interpreta-  
20 tion services at the provider’s office;”.

21 (b) DIRECTORY PROVIDERS DESCRIBED.—Section  
22 1902 of the Social Security Act (42 U.S.C. 1396a) is  
23 amended by adding at the end the following new sub-  
24 section:

1       “(ll) DIRECTORY PROVIDERS DESCRIBED.—A pro-  
2 vider described in this subsection is—

3           “(1) in the case of a provider of a provider type  
4 for which the State agency, as a condition on receiv-  
5 ing payment for items and services furnished by the  
6 provider to individuals eligible to receive medical as-  
7 sistance under the State plan, requires the enroll-  
8 ment of the provider with the State agency, a pro-  
9 vider that—

10           “(A) is enrolled with the agency as of the  
11 date on which the directory is published or up-  
12 dated (as applicable) under subsection (a)(78);  
13 and

14           “(B) received payment under the State  
15 plan in the 12-month period preceding such  
16 date; and

17           “(2) in the case of a provider of a provider type  
18 for which the State agency does not require such en-  
19 rollment, a provider that received payment under the  
20 State plan in the 12-month period preceding the  
21 date on which the directory is published or updated  
22 (as applicable) under subsection (a)(78).”.

23 (c) RULE OF CONSTRUCTION.—

24           (1) IN GENERAL.—The amendment made by  
25 subsection (a) shall not be construed to apply in the

1 case of a State in which all the individuals enrolled  
2 in the State plan under title XIX of the Social Secu-  
3 rity Act (or under a waiver of such plan), other than  
4 individuals described in paragraph (2), are enrolled  
5 with a medicaid managed care organization (as de-  
6 fined in section 1903(m)(1)(A) of such Act (42  
7 U.S.C. 1396b(m)(1)(A))), including prepaid inpa-  
8 tient health plans and prepaid ambulatory health  
9 plans (as defined by the Secretary of Health and  
10 Human Services).

11 (2) INDIVIDUALS DESCRIBED.—An individual  
12 described in this paragraph is an individual who is  
13 an Indian (as defined in section 4 of the Indian  
14 Health Care Improvement Act (25 U.S.C. 1603)) or  
15 an Alaska Native.

16 (d) EXCEPTION FOR STATE LEGISLATION.—In the  
17 case of a State plan under title XIX of the Social Security  
18 Act (42 U.S.C. 1396 et seq.), which the Secretary deter-  
19 mines requires State legislation in order for the respective  
20 plan to meet one or more additional requirements imposed  
21 by amendments made by this section, the respective plan  
22 shall not be regarded as failing to comply with the require-  
23 ments of such title solely on the basis of its failure to meet  
24 such an additional requirement before the first day of the  
25 first calendar quarter beginning after the close of the first

1 regular session of the State legislature that begins after  
2 the date of enactment of this section. For purposes of the  
3 previous sentence, in the case of a State that has a 2-  
4 year legislative session, each year of the session shall be  
5 considered to be a separate regular session of the State  
6 legislature.

