

Committee Print

(SHOWING THE TEXT OF H.R. 3894, AS FAVORABLY FORWARDED BY THE
SUBCOMMITTEE ON HEALTH ON JULY 15, 2021)

117TH CONGRESS
1ST SESSION

H. R. 3894

To require the Secretary of Health and Human Services to issue and disseminate guidance to States to clarify strategies to address social determinants of health under the Medicaid program and the Children's Health Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Ms. BLUNT ROCHESTER (for herself and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Health and Human Services to issue and disseminate guidance to States to clarify strategies to address social determinants of health under the Medicaid program and the Children's Health Insurance 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 "Collecting and Ana-
5 lyzing Resources Integral and Necessary for Guidance for

1 Social Determinants Act of 2021” or the “CARING for
2 Social Determinants Act of 2021”.

3 **SEC. 2. FINDINGS; PURPOSE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) Social determinants of health are the condi-
7 tions in which people are born, grow, live, play, work
8 and age; they include factors like socioeconomic sta-
9 tus, education, housing, transportation, nutrition
10 and literacy.

11 (2) Research has shown that addressing social
12 determinants of health is important for improving
13 overall health and reducing health inequities.

14 (3) Social determinants that negatively impact
15 health can have harmful neurodevelopmental and bi-
16 ological consequences that develop in childhood and
17 manifest in adulthood.

18 (4) There is a growing body of evidence sug-
19 gesting that policies that specifically address social
20 needs, including policies targeting children and fami-
21 lies, can improve community health outcomes and
22 have the potential to reduce health care spending.

23 (5) Some State Medicaid programs have begun
24 testing innovative delivery and payment models de-
25 signed to improve health outcomes and reduce costs

1 by implementing strategies to address social deter-
2 minants of health under existing Medicaid authori-
3 ties as well as through the use of waivers, though
4 payment incentives linked to social determinant of
5 health are not common.

6 (6) Despite a growing focus on social deter-
7 minants of health in State managed care contracts,
8 most States do not provide necessary guidance for
9 managed care entities as to how they may use exist-
10 ing authority under Federal law to provide patients
11 with services that can improve health by addressing
12 social determinants.

13 (7) Centers for Medicare & Medicaid Services
14 guidance and technical assistance are critical tools
15 that could increase adoption of strategies to address
16 social determinants of health among State Medicaid
17 agencies.

18 (b) PURPOSES.—It is the purpose of this Act to pro-
19 vide States with additional operational clarity and exam-
20 ples of the strategies they can leverage through existing
21 authority and waivers to address social determinants of
22 health for the Medicaid population.

1 **SEC. 3. REQUIREMENT TO ISSUE GUIDANCE TO CLARIFY**
2 **STRATEGIES TO ADDRESS SOCIAL DETER-**
3 **MINANTS OF HEALTH IN THE MEDICAID PRO-**
4 **GRAM AND THE CHILDREN'S HEALTH INSUR-**
5 **ANCE PROGRAM.**

6 Not later than 3 years after the date of the enact-
7 ment of this Act, and not less frequently than once every
8 3 years thereafter, the Secretary of Health and Human
9 Services shall update the State Health Office letter 21-
10 001, issued on January 7, 2021, to clarify strategies to
11 address social determinants of health under the Medicaid
12 program and the Children's Health Insurance Program.

13 Such update shall include the following:

14 (1) Guidance to State Medicaid agencies re-
15 garding the strategies that States can implement
16 under authorities in existence as of such update
17 under title XIX of the Social Security Act, title XXI
18 of such Act, or section 1115 of such Act to address
19 social determinants of health in the provision of
20 health care, including strategies specifically tar-
21 geting children receiving medical assistance under a
22 State plan under title XIX of such Act (or a waiver
23 of such plan) or child health assistance under a
24 State child health plan under title XXI of such Act.

25 (2) Guidance on how States can encourage and
26 incentivize managed care entities to address social

1 determinants of health through contracts with such
2 entities.

3 (3) Updated examples from States with respect
4 to how States are addressing social determinants of
5 health in the provision of health care under the Med-
6 icaid program under title XIX of the Social Security
7 Act and the Children's Health Insurance Program
8 under title XXI of such Act, including through pay-
9 ment models.