

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO SUBTITLE I  
OFFERED BY M . \_\_\_\_\_**

Add at the end the following new section:

1 **SEC. 30904. PROHIBITION ON IMPLEMENTATION OF POLI-**  
2 **CIES THAT RESULT IN REDUCED STAFFING.**

3 Notwithstanding any provision of title XVIII of the  
4 Social Security Act (42 U.S.C. 1395 et seq.), the Sec-  
5 retary of Health and Human Services may not—

6 (1) impose a condition of participation on a  
7 provider of services or supplier under such title (as  
8 such terms are defined in section 1861 of such Act  
9 (42 U.S.C. 1395x)) that would result in negative im-  
10 pacts to staffing levels of such provider or supplier  
11 (including through imposition of a requirement that  
12 such provider of services or supplier ensure

13 (2) penalize, through a reduction in payments  
14 or otherwise, such a provider or supplier who fails  
15 to so ensure that employees of such provider or sup-  
16 plier are so vaccinated.

