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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

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

Mrs. CAMMACK introduced the following bill; which was referred to the Committee on _____

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,*

1 **SECTION 1. PROHIBITION ON FINALIZING PROPOSED RULE**
2 **TO PLACE CERTAIN LIMITATIONS ON MED-**
3 **ICAID PAYMENTS.**

4 The Secretary of Health and Human Services may
5 not—

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

21 (2) promulgate, implement, enforce, or other-
22 wise give effect to any other substantially similar
23 rule that would require a minimum percentage of
24 such payments for such services be spent on such
25 compensation for direct care workers.