



(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. 8955

To amend the Indian Health Care Improvement Act to ensure that, whenever the Indian Health Service undertakes an investigation into the professional conduct of a licensee of a State, the Service notifies the relevant State medical board, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Indian Health Care Improvement Act to ensure that, whenever the Indian Health Service undertakes an investigation into the professional conduct of a licensee of a State, the Service notifies the relevant State medical board, 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 “IHS Provider Integrity
5 Act”.

1 **SEC. 2. NOTIFICATION OF INVESTIGATION REGARDING**
2 **PROFESSIONAL CONDUCT; SUBMISSION OF**
3 **RECORDS.**

4 Title VIII of the Indian Health Care Improvement
5 Act (25 U.S.C. 1671 et seq.) is amended by adding at
6 the end the following:

7 **"SEC. 833. NOTIFICATION OF INVESTIGATION REGARDING**
8 **PROFESSIONAL CONDUCT; SUBMISSION OF**
9 **RECORDS.**

10 "(a) **REPORT.**—Not later than 14 calendar days after
11 the date on which the Service undertakes an investigation
12 into the professional conduct of a licensee of a State, the
13 Secretary, acting through the Service, shall notify the rel-
14 evant State medical board of the investigation.

15 "(b) **SUBMISSION OF RECORDS.**—Not later than 14
16 calendar days after the date on which the Service gen-
17 erates records relating to an investigation conducted by
18 the Service into the professional conduct of a licensee of
19 a State, the Secretary, acting through the Service, shall
20 provide the records to the relevant State medical board."

21 **SEC. 3. FITNESS OF HEALTH CARE PROVIDERS.**

22 (a) **IN GENERAL.**—Title VIII of the Indian Health
23 Care Improvement Act is amended by inserting after sec-
24 tion 802 (25 U.S.C. 1672) the following:

1 **“SEC. 803. FITNESS OF HEALTH CARE PROVIDERS.**

2 “(a) **ADDITIONAL REQUIREMENTS FOR HIRING OF**
3 **HEALTH CARE PROVIDERS BY SERVICE.**—As part of the
4 hiring process for each health care provider position at
5 the Service after the date of enactment of the IIIS Pro-
6 vider Integrity Act, the Director shall require from the
7 medical board of each State in which the health care pro-
8 vider has or had a medical license—

9 “(1) information on any violation of the re-
10 quirements of the medical license of the health care
11 provider during the 20-year period ending on the
12 date on which the health care provider is being con-
13 sidered for a position at the Service; and

14 “(2) information on whether the health care
15 provider has entered into any settlement agreement
16 for a disciplinary charge relating to the practice of
17 medicine by the health care provider.

18 “(b) **PROVISION OF INFORMATION ON SERVICE**
19 **HEALTH CARE PROVIDERS TO STATE MEDICAL**
20 **BOARDS.**—Notwithstanding section 552a of title 5, United
21 States Code, with respect to each health care provider of
22 the Service who has violated a requirement of the medical
23 license of the health care provider, the Director shall pro-
24 vide to the medical board of each State in which the health
25 care provider is licensed detailed information with respect

1 to the violation, regardless of whether the medical board
2 has formally requested that information.”.

3 (b) REPORT ON COMPLIANCE BY INDIAN HEALTH
4 SERVICE WITH REVIEWS OF HEALTH CARE PROVIDERS
5 LEAVING SERVICE OR TRANSFERRING TO OTHER FACILI-
6 TIES.—Not later than 180 days after the date of enact-
7 ment of this Act, the Director of the Indian Health Service
8 shall submit to the Committee on Indian Affairs of the
9 Senate and the Committee on Natural Resources of the
10 House of Representatives a report on the compliance by
11 the Indian Health Service with the policy of the Indian
12 Health Service—

13 (1) to conduct a review of each health care pro-
14 vider of the Indian Health Service who transfers to
15 another medical facility of the Indian Health Serv-
16 ice, resigns, retires, or is terminated to determine
17 whether there are any concerns, complaints, or alle-
18 gations of violations relating to the medical practice
19 of the health care provider; and

20 (2) to take appropriate action with respect to
21 any concern, complaint, or allegation described in
22 subparagraph (A).