AMENDMENT TO H.R. 5799
OFFERED BY MR. COLLINS OF NEW YORK

Page 8, after line 15, insert the following:

1 SEC. 3. IDENTIFYING AND ADDRESSING INAPPROPRIATE
2 PRESCRIBING AND BILLING PRACTICES
3 UNDER MEDICAID.
4
(a) IN GENERAL.—Section 1927(g) of the Social Se-
5 curity Act (42 U.S.C. 1396r–8(g)) is amended—
6 (1) in paragraph (1)(A)—
7 (A) by striking “of section
8 1903(i)(10)(B)” and inserting “of section
9 1902(a)(54)”;
10 (B) by striking “, by not later than Janu-
11 ary 1, 1993,”;
12 (C) by inserting after “gross overuse,” the
13 following: “excessive utilization,”; and
14 (D) by striking “or inappropriate or medi-
15 cally unnecessary care” and inserting “inappro-
16 priate or medically unnecessary care, or pre-
17 scribing or billing practices that indicate abuse
18 or excessive utilization”; and
19 (2) in paragraph (2)(B)—
(A) by inserting after “gross overuse,” the following: “excessive utilization,”;

(B) by striking “or inappropriate or medically unnecessary care” and inserting “inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization”; and

(C) by adding at the end the following new sentence: “In the case that the program identifies a pattern described in the previous sentence, the State shall take such remedial actions as determined necessary to address such pattern.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect with respect to retrospective drug use reviews conducted on or after October 1, 2020.

Amend the title so as to read: “A bill to amend title XIX of the Social Security Act to require as a condition of receipt of full Federal medical assistance percentage under Medicaid that State Medicaid plans have in place certain drug utilization review activities, and to require States to identify and address inappropriate prescribing and billing practices under Medicaid.”.