

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”;

19 (2) in paragraph (2)(B)—

1 (A) by inserting after “gross overuse,” the
2 following: “excessive utilization,”;

3 (B) by striking “or inappropriate or medi-
4 cally unnecessary care” and inserting “inappro-
5 priate or medically unnecessary care, or pre-
6 scribing or billing practices that indicate abuse
7 or excessive utilization”; and

8 (C) by adding at the end the following new
9 sentence: “In the case that the program identi-
10 fies a pattern described in the previous sen-
11 tence, the State shall take such remedial ac-
12 tions as determined necessary to address such
13 pattern.”.

14 (b) **EFFECTIVE DATE.**—The amendments made by
15 subsection (a) shall take effect with respect to retrospec-
16 tive drug use reviews conducted on or after October 1,
17 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.”.

