

110TH CONGRESS
2D SESSION

S. _____

To temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

IN THE SENATE OF THE UNITED STATES

Mr. COLEMAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

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. MORATORIUM ON IMPLEMENTATION OF**
4 **CHANGES TO CASE MANAGEMENT AND TAR-**
5 **GETED CASE MANAGEMENT PAYMENT RE-**
6 **QUIREMENTS UNDER MEDICAID.**

7 (a) DELAYED IMPLEMENTATION OF DECEMBER 4,
8 2007, INTERIM FINAL RULE.—The interim final rule pub-
9 lished on December 4, 2007, at pages 68,077 through
10 68,093 of volume 72 of the Federal Register (relating to

1 parts 431, 440, and 441 of the Code of Federal Regula-
2 tions) shall not take effect before April 1, 2009.

3 (b) CONTINUATION OF 2007 PAYMENT POLICIES
4 AND PRACTICES.—Notwithstanding any other provision of
5 law, the Secretary of Health and Human Services shall
6 not, prior to April 1, 2009, take any action (through pro-
7 mulgation of regulation, issuance of regulatory guidance,
8 use of Federal payment audit procedures, or other admin-
9 istrative action, policy or practice, including a Medical As-
10 sistance Manual transmittal or issuance of a letter to
11 State Medicaid directors) to restrict coverage or payment
12 under title XIX of the Social Security Act for case man-
13 agement and targeted case management services if such
14 action is more restrictive than the administrative action,
15 policy, or practice that applies to coverage of, or payment
16 for, such services under title XIX of the Social Security
17 Act on December 3, 2007. Any such action taken by the
18 Secretary of Health and Human Services during the pe-
19 riod that begins on December 4, 2007, and ends on March
20 31, 2009, that is based in whole or in part on the interim
21 final rule described in subsection (a) is null and void.