

117TH CONGRESS
1ST SESSION

H. R. 4554

To amend title XIX of the Social Security Act to provide grants for support for States to identify and act on racial disparities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2021

Mr. BUTTERFIELD (for himself and Mr. JOYCE of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to provide grants for support for States to identify and act on racial disparities, 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 “Care That’s Fair Act”.

5 **SEC. 2. GRANTS TO SUPPORT FOR STATES TO IDENTIFY**

6 **AND ACT ON RACIAL DISPARITIES UNDER**

7 **MEDICAID.**

8 Section 1946 of the Social Security Act (42 U.S.C.

9 is amended by adding the following new subsection:

1 “(d) SUPPORT FOR STATES TO IDENTIFY AND ACT
2 ON RACIAL DISPARITIES.—

3 “(1) IN GENERAL.—The Administrator is au-
4 thorized to award grants to States in accordance
5 with this section to analyze Medicaid claims and
6 clinical data to study—

7 “(A) variation in Medicaid health outcomes
8 and health care service utilization that are cor-
9 related to race and ethnicity for clinically simi-
10 lar patients; or

11 “(B) the contributing clinical and social
12 factors to poor infant and maternal health out-
13 comes in Medicaid.

14 “(2) STATE APPLICATION.—A State seeking ap-
15 proval of a grant shall submit an application to the
16 Administrator, after April 1, 2021, and prior to Sep-
17 tember 1, 2024, in such format as the Administrator
18 requires.

19 “(3) LIMITATIONS.—No State shall receive—

20 “(A) more than one grant in any fiscal
21 year; or

22 “(B) a grant that exceeds \$500,000.

23 “(4) ACTION REPORT.—Each State receiving a
24 grant under this subsection must submit to the Ad-
25 ministrator an action report no later than 2 fiscal

1 years after being awarded the grant, which the Ad-
2 ministrator must make public on the Centers for
3 Medicare & Medicaid Services website and provide
4 analysis comparing the results of the action reports
5 across each grantee, taking into account variation in
6 the demographics and clinical needs in each State.

7 “(5) DEFINITIONS.—For purposes of this sec-
8 tion:

9 “(A) ADMINISTRATOR.—The term ‘Admin-
10 istrator’ means the Administrator for the Cen-
11 ter for Medicare and Medicaid Services.

12 “(B) STATE.—The term ‘State’ means any
13 of the 50 States or the District of Columbia.

14 “(C) CLINICALLY SIMILAR.—The term
15 ‘clinically similar’ means, with respect to a
16 State Medicaid program, Medicaid enrollees
17 that have the same health status, burden of ill-
18 ness, comorbid conditions, and need for serv-
19 ices.

20 “(D) HEALTH OUTCOMES.—The term
21 ‘health outcomes’ means, with respect to a
22 State Medicaid program, a change in health
23 status for a Medicaid enrollee as a result of
24 care interventions.

1 “(E) HEALTH CARE SERVICE UTILIZA-
2 TION.—The term ‘health care service utiliza-
3 tion’ means, with respect to a State Medicaid
4 program, the rate of use of a particular health
5 care service, procedure, test, process, or care
6 intervention.

7 “(F) SOCIAL FACTORS.—The term ‘social
8 factors’ may include, but is not limited to—

- 9 “(i) housing;
10 “(ii) transportation;
11 “(iii) food insecurity;
12 “(iv) environmental conditions;
13 “(v) economic insecurity;
14 “(vi) health literacy;
15 “(vii) family and community insta-
16 bility; and
17 “(viii) interpersonal violence.

18 “(G) ACTION REPORT.—The term ‘action
19 report’ means, with respect to a State Medicaid
20 program—

- 21 “(i) a summary at the aggregate level
22 of the results from the State analysis per-
23 formed under paragraph (1);
24 “(ii) a summary of the characteristics
25 of the study, including population included,

1 time period covered, methodologies used,
2 and any limitations encountered;

3 “(iii) the actions the State plans to
4 take or would like to take under the State
5 Medicaid program in the next 5 years to
6 address paragraph (1)(A) or (1)(B); and

7 “(iv) what regulatory barriers exist in
8 enacting the steps under clause (ii).

9 “(6) APPROPRIATIONS.—In general, there are
10 appropriated, from any funds in the Treasury not
11 otherwise appropriated, for grants to carry out this
12 section—

13 “(A) \$5,000,000 for fiscal year 2021;

14 “(B) \$10,000,000 for fiscal year 2022; and

15 “(C) \$10,000,000 for fiscal year 2023.”.

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